

**UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT  
CIVIL APPEAL PRE-ARGUMENT STATEMENT (FORM C)**

1. SEE NOTICE ON REVERSE.

2. PLEASE TYPE OR PRINT.

3. STAPLE ALL ADDITIONAL PAGES

Case Caption:	District Court or Agency:	Judge:
	Date the Order or Judgment Appealed from was Entered on the Docket:	District Court Docket No.:
	Date the Notice of Appeal was Filed:	Is this a Cross Appeal?  <input type="checkbox"/> Yes <input type="checkbox"/> No

<b>Attorney(s) for Appellant(s):</b>  <input type="checkbox"/> Plaintiff  <input type="checkbox"/> Defendant	Counsel's Name:      Address:      Telephone No.:      Fax No.:      E-mail:
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<b>Attorney(s) for Appellee(s):</b>  <input type="checkbox"/> Plaintiff  <input type="checkbox"/> Defendant	Counsel's Name:      Address:      Telephone No.:      Fax No.:      E-mail:
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Has Transcript Been Prepared?	Approx. Number of Transcript Pages:	Number of Exhibits Appended to Transcript:	Has this matter been before this Circuit previously? <input type="checkbox"/> Yes <input type="checkbox"/> No  If Yes, provide the following:  Case Name:  2d Cir. Docket No.:      Reporter Citation: (i.e., F.3d or Fed. App.)
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**ADDENDUM "A": COUNSEL MUST ATTACH TO THIS FORM: (1) A BRIEF, BUT NOT PERFUNCTORY, DESCRIPTION OF THE NATURE OF THE ACTION; (2) THE RESULT BELOW; (3) A COPY OF THE NOTICE OF APPEAL AND A CURRENT COPY OF THE LOWER COURT DOCKET SHEET; AND (4) A COPY OF ALL RELEVANT OPINIONS/ORDERS FORMING THE BASIS FOR THIS APPEAL, INCLUDING TRANSCRIPTS OF ORDERS ISSUED FROM THE BENCH OR IN CHAMBERS.**

**ADDENDUM "B": COUNSEL MUST ATTACH TO THIS FORM A LIST OF THE ISSUES PROPOSED TO BE RAISED ON APPEAL, AS WELL AS THE APPLICABLE APPELLATE STANDARD OF REVIEW FOR EACH PROPOSED ISSUE.**

**PART A: JURISDICTION**

<p style="text-align: center;">1. <u>Federal Jurisdiction</u></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> U.S. a party   <input type="checkbox"/> Federal question (U.S. not a party)         </div> <div style="width: 45%;"> <input type="checkbox"/> Diversity   <input type="checkbox"/> Other (specify): _____         </div> </div>	<p style="text-align: center;">2. <u>Appellate Jurisdiction</u></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Final Decision   <input type="checkbox"/> Interlocutory Decision Appealable As of Right         </div> <div style="width: 45%;"> <input type="checkbox"/> Order Certified by District Judge (i.e., Fed. R. Civ. P. 54(b))   <input type="checkbox"/> Other (specify): _____         </div> </div>
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**IMPORTANT. COMPLETE AND SIGN REVERSE SIDE OF THIS FORM.**

**PART B: DISTRICT COURT DISPOSITION (Check as many as apply)**

<b>1. <u>Stage of Proceedings</u></b> <input type="checkbox"/> Pre-trial <input type="checkbox"/> During trial <input type="checkbox"/> After trial	<b>2. <u>Type of Judgment/Order Appealed</u></b> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Default judgment  <input type="checkbox"/> Dismissal/FRCP 12(b)(1) lack of subj. matter juris.  <input type="checkbox"/> Dismissal/FRCP 12(b)(6) failure to state a claim  <input type="checkbox"/> Dismissal/28 U.S.C. § 1915(e)(2) frivolous complaint  <input type="checkbox"/> Dismissal/28 U.S.C. § 1915(e)(2) other dismissal           </div> <div> <input type="checkbox"/> Dismissal/other jurisdiction  <input type="checkbox"/> Dismissal/merit  <input type="checkbox"/> Judgment / Decision of the Court  <input type="checkbox"/> Summary judgment  <input type="checkbox"/> Declaratory judgment  <input type="checkbox"/> Jury verdict  <input type="checkbox"/> Judgment NOV  <input type="checkbox"/> Directed verdict  <input type="checkbox"/> Other (specify): Discovery           </div> </div>	<b>3. <u>Relief</u></b> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Damages:            ___ Sought: \$ _____            ___ Granted: \$ _____            ___ Denied: \$ _____         </div> <div> <input type="checkbox"/> Injunctions:  <input type="checkbox"/> Preliminary  <input type="checkbox"/> Permanent  <input type="checkbox"/> Denied         </div> </div>
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**PART C: NATURE OF SUIT (Check as many as apply)**

<b>1. <u>Federal Statutes</u></b> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> Antitrust  <input type="checkbox"/> Bankruptcy  <input type="checkbox"/> Banks/Banking  <input type="checkbox"/> Civil Rights  <input type="checkbox"/> Commerce,  <input type="checkbox"/> Energy  <input type="checkbox"/> Commodities  <input type="checkbox"/> Other (specify): _____           </div> <div style="width: 33%;"> <input type="checkbox"/> Communications  <input type="checkbox"/> Consumer Protection  <input type="checkbox"/> Copyright  <input type="checkbox"/> Trademark  <input type="checkbox"/> Election  <input type="checkbox"/> Soc. Security  <input type="checkbox"/> Environmental           </div> <div style="width: 33%;"> <input type="checkbox"/> Freedom of Information Act  <input type="checkbox"/> Immigration  <input type="checkbox"/> Labor  <input type="checkbox"/> OSHA  <input type="checkbox"/> Securities  <input type="checkbox"/> Tax  <input type="checkbox"/> Racketeer Influenced and Corrupt Organizations Act           </div> </div>	<b>2. <u>Torts</u></b> <input type="checkbox"/> Admiralty/ <input type="checkbox"/> Maritime <input type="checkbox"/> Assault / <input type="checkbox"/> Defamation <input type="checkbox"/> FELA <input type="checkbox"/> Products Liability <input type="checkbox"/> Other (Specify): _____	<b>3. <u>Contracts</u></b> <input type="checkbox"/> Admiralty/ <input type="checkbox"/> Maritime <input type="checkbox"/> Arbitration <input type="checkbox"/> Commercial <input type="checkbox"/> Employment <input type="checkbox"/> Insurance <input type="checkbox"/> Negotiable <input type="checkbox"/> Instruments <input type="checkbox"/> Other Specify _____	<b>4. <u>Prisoner Petitions</u></b> <input type="checkbox"/> Civil Rights <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Mandamus <input type="checkbox"/> Parole <input type="checkbox"/> Vacate Sentence <input type="checkbox"/> Other _____
<b>5. <u>Other</u></b> <input type="checkbox"/> Forfeiture/Penalty <input type="checkbox"/> Real Property <input type="checkbox"/> Treaty (specify): _____ <input type="checkbox"/> Other (specify): _____	<b>6. <u>General</u></b> <input type="checkbox"/> Arbitration <input type="checkbox"/> Attorney Disqualification <input type="checkbox"/> Class Action <input type="checkbox"/> Counsel Fees <input type="checkbox"/> Shareholder Derivative <input type="checkbox"/> Transfer	<b>7. Will appeal raise constitutional issue(s)?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No  Will appeal raise a matter of first impression? <input type="checkbox"/> Yes <input type="checkbox"/> No	

1. Is any matter relative to this appeal still pending below? <input type="checkbox"/> Yes, specify: _____ <input type="checkbox"/> No			
2. To your knowledge, is there any case presently pending or about to be brought before this Court or another court or administrative agency which:			
(A) Arises from substantially the same case or controversy as this appeal?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
(B) Involves an issue that is substantially similar or related to an issue in this appeal?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, state whether <input type="checkbox"/> "A," or <input type="checkbox"/> "B," or <input type="checkbox"/> both are applicable, and provide in the spaces below the following information on the <i>other</i> action(s):			
Case Name:	Docket No.	Citation:	Court or Agency:
Name of Appellant:			

Date:	Signature of Counsel of Record:
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**NOTICE TO COUNSEL**

**Once you have filed your Notice of Appeal with the District Court or the Tax Court, you have only 14 days in which to complete the following important steps:**

1. Complete this Civil Appeal Pre-Argument Statement (Form C); serve it upon all parties, and file it with the Clerk of the Second Circuit in accordance with LR 25.1.
2. File the Court of Appeals Transcript Information/Civil Appeal Form (Form D) with the Clerk of the Second Circuit in accordance with LR 25.1.
3. Pay the \$455 docketing fee to the United States District Court or the \$450 docketing fee to the United States Tax Court unless you are authorized to prosecute the appeal without payment.

**PLEASE NOTE: IF YOU DO NOT COMPLY WITH THESE REQUIREMENTS WITHIN 14 DAYS, YOUR APPEAL WILL BE DISMISSED. SEE LOCAL RULE 12.1.**

## **ADDENDUM A**

## 1. DESCRIPTION OF THE ACTION AND RESULT BELOW

In 1993, a group of Ecuadorian peoples and farmers, including Defendants-Appellants Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje (“Ecuadorian Plaintiffs”), filed a class action in the United States District Court for the Southern District of New York against Plaintiff-Appellee Chevron Corporation (“Chevron”), formerly Texaco, seeking money damages and equitable relief to redress Chevron’s contamination of the Ecuadorian rainforest. For nine years, Chevron fought to have the litigation dismissed on the ground of *forum non conveniens*, for re-filing in an Ecuadorian court. The district court ultimately granted Chevron’s motion to dismiss and this Court affirmed. *See Aguinda v. Texaco, Inc.*, 142 F. Supp. 2d 534 (S.D.N.Y. 2001), *aff’d*, 303 F. 3d 470 (2d Cir. 2002). The action was re-filed in Ecuador in 2003 and litigated there for approximately eight years.

Chevron has adopted a stop-at-nothing approach designed to discredit the very same Ecuadorian Court it had battled for so many years to have adjudicate the litigation. Their tactics, implemented in the face of mounting evidence against Chevron revealed during the course of the litigation in Ecuador, were designed to impugn any judgment that might be entered against Chevron for its numerous violations of Ecuadorian environmental laws. The heart of this strategy is Chevron’s ongoing campaign to discredit the Ecuadorian Plaintiffs, their attorneys, their expert witnesses, the Ecuadorian judicial system, and the entire Ecuadorian government.

This campaign began with Chevron filing what to date has ballooned to over twenty *ex parte* actions in United States district courts pursuant to 28 U.S.C. § 1782. On August 6, 2010, the District Court granted one such *ex parte* application under 28 U.S.C § 1782, permitting Chevron and two of its attorneys (“Individual Petitioners”), who were then facing criminal charges in Ecuador, to issue subpoenas seeking discovery from Steven R. Donziger, an attorney and advisor to the Ecuadorian Plaintiffs. Donziger and the Ecuadorian Plaintiffs moved to quash or modify the subpoenas on several grounds, including that much of the



information sought was protected by attorney-client privilege and the work-product doctrine.

On October 20, 2010, the District Court denied the motions to quash and ordered Donziger to comply with the subpoenas (the “Donziger 1782 action”). In rejecting Donziger’s assertions of privilege, the District Court found that Donziger waived any assertions of privilege by “fail[ing] to file a privilege log as required by Local Civ. R. 26.2 and Fed. R. Civ. P. 26(b)(5).” *In re Chevron Corp.*, 749 F. Supp. 2d 135, 140 (S.D.N.Y. 2010), *supplemented by*, 749 F. Supp. 2d 141 (S.D.N.Y. 2010). Although Donziger ultimately submitted a privilege log, the District Court declined to entertain any objections, in part, because issues related to privilege “would be difficult and perhaps impossible” to resolve before the Individual Petitioners’ criminal hearing scheduled in Ecuador. *In re Chevron Corp.*, 749 F. Supp. 170, 183 (S.D.N.Y. 2010). Consequently, the District Court ordered Donziger to “produce each and every document responsive to the subpoenas (irrespective of whether any privilege or other protection against disclosure has been or hereinafter is or may be claimed).” *Id.* at 188.

On December 15, 2010, a Panel of this Court affirmed, concluding “that the District Court did not abuse its discretion” in denying the motions to quash and ordering Donziger to comply with the subpoenas.” *Lago Agrio Plaintiffs v. Chevron Corp.*, 409 F. App’x 393, 395 (2d Cir. Dec. 15, 2010) (summary order). In that decision, however, the Panel emphasized that “the severity of the consequences imposed by the District Court . . . [was] justified almost entirely by the urgency of petitioners’ need for the discovery in light of *impending criminal proceedings* in Ecuador.” *Id.* at 395. Accordingly, this Court advised the District Court that, if the criminal proceedings in Ecuador were postponed, “the District Court may wish to stay the enforcement of the subpoenas *sua sponte* to permit a more probing (and time-consuming) review of the parties’ various arguments with respect to privilege and relevance.” *Id.* at 396.

Based, in part, on information obtained in the Donziger 1782 action, on February 1, 2011, Chevron filed a complaint in the District Court of the Southern District of New York (“S.D.N.Y.”) alleging that the Ecuadorian Plaintiffs and their agents, including Steven Donziger, The Law Offices of Steven R. Donziger, and Donziger & Associates, PLLC (collectively, the “Donziger defendants”), sought to

“extort” Chevron through alleged misconduct in litigation, lobbying, and public relations efforts. Chevron’s complaint alleged nine claims—including one under the Racketeer Influenced and Corrupt Organizations Act (“RICO”) and one, Count 9, brought pursuant to the Declaratory Judgment Act. Count 9 requested, in relevant part, a global injunction barring Appellants and their agents from taking any steps to prepare for or enforce the then non-existent judgment in *Maria Aguinda y Otros v. Chevron Corporation*, No. 002-2003 (“the Judgment”). The Court of Succumbios in Lago Agrio, Ecuador rendered judgment in favor of the Ecuadorian Plaintiffs on February 14, 2011. That judgment was affirmed unanimously by an Ecuadorian appeals court in early 2012 after *de novo* review. Chevron’s further appeal or “cassation” is pending before Ecuador’s National Court of Justice.

On March 7, 2011, District Court Judge Lewis A. Kaplan entered a worldwide preliminary injunction (the “Preliminary Injunction”) barring the Ecuadorian Plaintiffs, their agents, or their counsel from taking any steps to further enforcement of the judgment. On April 15, 2011, Judge Kaplan bifurcated Count 9 of Chevron’s complaint, the declaratory judgment claim, to be fast-tracked for trial and stayed discovery on the remaining eight counts. On May 31, 2011, Judge Kaplan severed Count 9 from the remaining eight claims and decreed that “[a]ll decisions, orders and rulings and other determinations heretofore made in 11 Civ. 0691 [the RICO action] . . . shall remain in effect in the Count 9 Action.” Thus, on May 31, 2011, Count 9 became “the Salazar action” (S.D.N.Y. No. 11-3718), while discovery remained stayed in the RICO action (S.D.N.Y. No. 11-691).

On September 19, 2011—one business day after oral argument—this Court vacated the Preliminary Injunction in its entirety and directed the District Court to dismiss the severed Count 9 Action (*Salazar*). This Court found “no legal basis” for the injunction and noted its concern regarding the district court’s treatment of issues of comity. *Chevron Corp. v. Naranjo*, 667 F.3d 232, 243-44 (2d Cir. 2012). Additionally, this Court declined to address other issues raised in the appeal, such as the appellants’ request for re-assignment of the case on remand, “in light of the severance of Chevron’s claim under the Recognition Act [i.e., Count 9], resolution of [which] completely dispose[d] of the underlying action, leaving nothing further to be addressed on remand with respect to the severed claim.” *Id.* at 239 n.11.

In May 2011, Chevron served subpoenas in the Count 9 action, seeking documents from third-parties Laura Garr and Andrew Woods (both associates of Donziger's during the Ecuador litigation), as well as from Joseph Kohn (Donziger's previous co-counsel in Ecuador) and the Kohn, Swift & Graf, P.C. law firm (collectively, "Kohn"). Garr, Woods, and Kohn objected, and Chevron moved to compel. The Magistrate Judge granted Chevron's motion to compel, but, before the District Court could rule on the parties' objections to that order, the Count 9 injunction action was dismissed.

Although the District Court in the RICO action denied a motion filed by Chevron seeking an order to "carry over" its then-pending motion to compel from the Count 9 action to the RICO action, the District Court deemed the subpoenas served on Garr and Kohn in the Count 9 action as having been already served in the RICO action—those witnesses, unlike Woods, remained within the geographic range of the subpoenas. After permitting supplemental briefings, on April 12, 2013, the District Court granted Chevron's motion to compel in substantial part, and entered an Order requiring Garr and Kohn to produce the requested documents "no later than May 11, 2013." *Chevron Corp. v. Donziger*, No. 11-0691 (LAK), 2013 U.S. Dist. LEXIS 55877, at \*35 (S.D.N.Y. Apr. 12, 2013). In so doing, the District Court concluded that "the waiver in the *Donziger 1782* case applie[d] to the documents sought [in the RICO action]." *Id.* at \*13.

As the relevant privilege holders, the Ecuadorian Plaintiffs and the Donziger defendants timely filed a joint appeal on May 10, 2013.

## 2. DESCRIPTION OF THE RESULT BELOW

On April 12, 2013, the District Court entered an Order granting Chevron's motion to compel discovery from non-parties Laura Garr, the law firm Kohn Swift & Graff, P.C., and Joseph Kohn over the assertions of privilege by the Ecuadorian Plaintiffs and the Donziger defendants.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

CHEVRON CORPORATION,

Plaintiff,

v.

STEVEN DONZIGER, et al.,

Defendants,

Case No. 11-cv-0691 (LAK)  
ECF Case

**NOTICE OF APPEAL**

Notice is hereby given that Defendants Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje ("Ecuadorian Plaintiffs") appeal to the United States Court of Appeals for the Second Circuit from the Order entered in the above-captioned matter on April 12, 2013 (Dkt. 1012), granting the motion of Plaintiff Chevron Corporation ("Chevron") to compel discovery from non-parties Laura Garr, the law firm Kohn Swift & Graff, P.C., and Joseph Kohn. Defendants Steven Donziger, The Law Offices of Steven R. Donziger, and Donziger & Associates, PLLC, join in this appeal for the purpose of preserving any work-product objections not available to the Ecuadorian Plaintiffs.

Dated: May 10, 2013

Respectfully submitted,

By: /s/ Tyler G. Doyle

Ty Doyle

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**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:11-cv-00691-LAK-JCF**

Chevron Corporation v. Donziger et al  
Assigned to: Judge Lewis A. Kaplan  
Referred to: Magistrate Judge James C. Francis  
Related Cases: [1:10-mc-00002-LAK](#)  
[1:12-cv-05570-LAK](#)  
[1:11-cv-03718-LAK-JCF](#)  
[1:12-cv-09176-LAK-JCF](#)

Date Filed: 02/01/2011  
Jury Demand: Both  
Nature of Suit: 470 Racketeer/Corrupt  
Organization  
Jurisdiction: Federal Question

Cause: 18:1962 Racketeering (RICO) Act

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**Defendant**

**Luis Yanza**

**Defendant**

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**Defendant**

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**Defendant**

**Clide Ramiro Aguinda Aguinda**

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**Intervenor Defendant**

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**Intervenor Defendant**

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**Intervenor Defendant**

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**Intervenor Defendant**

**Compa Guiquita**  
*TERMINATED: 01/14/2013*

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**John W. Kecker**  
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**Intervenor Defendant**

**Conta Nenquimo Quimontari**  
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**Intervenor Defendant**

**Daniel Ehuengei**

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**Intervenor Defendant**

**Nantoqui Nenquimo**

*TERMINATED: 01/14/2013*

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**Intervenor Defendant**

**Okata Quipa Nihua**

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**Intervenor Defendant**

**Cai Baihua Quemperi**

*TERMINATED: 01/14/2013*

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**Intervenor Defendant**

**Omayihue Baihua**

*TERMINATED: 01/14/2013*

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**Intervenor Defendant**

**Tapare Ahua Yete**

*TERMINATED: 01/14/2013*

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**Intervenor Defendant**

**Teweyene Luciana Nam Tega**

*TERMINATED: 01/14/2013*

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**Intervenor Defendant**

**Abamo Omene**

*TERMINATED: 01/14/2013*

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**Intervenor Defendant**

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**Intervenor Defendant**

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**Intervenor Defendant**

**Wane Ima**  
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**Intervenor Defendant**

**Wina Enomenga**  
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**Intervenor Defendant**

**Cahuiya Omaca**  
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**Intervenor Defendant**

**Mima Yeti**  
*TERMINATED: 01/14/2013*

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**Counter Claimant**

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**Counter Claimant**

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**Paula Lenore Blizzard**  
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**William S. Hicks**  
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V.

**Counter Defendant**

Chevron Corporation

represented by **Andrea E. Neuman**  
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**ATTORNEY TO BE NOTICED**

**Anne Marie Champion**  
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**Jason B. Stavers**  
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**Kristen Luise Hendricks**  
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*TERMINATED: 06/29/2012*

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**William Edward Thomson**  
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**Counter Claimant**

**Stratus Consulting, Inc.**  
*TERMINATED: 04/08/2013*

represented by **Benjamin H. Green**  
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**Gordon Mehler**  
(See above for address)  
*TERMINATED: 05/05/2011*

**Jessica R. Torbin**  
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*TERMINATED: 02/06/2012*

**Joe L. Silver**  
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*TERMINATED: 03/12/2013*

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**Martin Beier**  
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*TERMINATED: 03/12/2013*

**Michael Erik Sims**  
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**Stuart Alan Krause**  
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**Counter Claimant**

**Douglas Beltman**  
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**Gordon Mehler**  
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*TERMINATED: 05/05/2011*

**Jessica R. Torbin**  
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**Joe L. Silver**  
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*TERMINATED: 03/12/2013*

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**Counter Claimant**

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TERMINATED: 04/11/2013

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**Joe L. Silver**  
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TERMINATED: 03/12/2013

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V.

**Counter Defendant**

**Chevron Corporation**

TERMINATED: 04/11/2013

represented by **Andrea E. Neuman**  
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ATTORNEY TO BE NOTICED

**Anne Marie Champion**  
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TERMINATED: 06/29/2012

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Date Filed	#	Docket Text
02/01/2011	<u>1</u>	COMPLAINT against Clide Ramiro Aguinda Aguinda, Lidia Alexandra Aguinda Aguinda, Patricio Wilson Aguinda Aguinda, Francisco Matias Alvarado Yumbo, Lorenzo Jose Alvarado Yumbo, Segundo Angel Amanta Milan, Douglas Beltman, Hugo Gerardo Camacho Naranjo, Benancio Fredy Chimbo Grefa, Lourdes Beatriz Chimbo Tanguil, Rosa Teresa Chimbo Tanguila, Luis Armando Chimbo Yumbo, Octavio Ismael Cordova Huanca, Steven Donziger, Frente de Defensa De La Amazonia, Olga Gloria Grefa Cerda, Beatriz Mercedes Grefa Tanguila, Lucio Enrique Grefa Tanguila, Heleodoro Pataron Guaraca, Carlos Grefa Huatatoca, Jose Miguel Ipiales Chicaiza, Daniel Carlos Lusitande Yaiguaje, Emilio Martin Lusitande Yaiguaje, Reinaldo Lusitande Yaiguaje, Ann Maest, Pablo Fajardo Mendoza, Guillermo Vicente Payaguaje Lusitante, Alfredo Donald Payaguaje Payaguaje, Delfin Leonidas Payaguaje Payaguaje, Miguel Mario Payaguaje Payaguaje, Luis Agustin Payaguaje Piaguaje, Angel Justino Piaguaje Lucitant, Teodoro Gonzalo Piaguaje Payaguaje, Armando Wilfrido Piaguaje Payaguaje, Fermin Piaguaje Payaguaje, Javier Piaguaje Payaguaje, Elias Roberto Piyahuaje Payahuaje, Maria Clelia Reascos Revelo, Jose Gabriel Revelo Llore, Maria Magdalena Rodriguez Barcenos, Catalina Antonia Aguinda Salazar, Maria Aguinda Salazar, Selva Viva Selviva CIA, Ltda, Stratus Consulting, Inc., Stratus Consulting, Inc., Bertha Antonia Yumbo Tanguila, Gloria Lucrecia Tanguila Grefa, Luisa Delia Tanguila Narvaez, Narcisa Aida Tanguila Narvaez, Franciso Victor Tanguilla Grefa, The Law Offices of Steven R. Donziger, Celia Irene Viveros Cusangua, Maria Hortencia Viveros Cusangua, Simon Lusitande Yaiguaje, Luis Yanza, Francisco Alvarado Yumbo, Patricio Alberto Chimbo Yumbo. (Filing Fee \$ 350.00, Receipt Number 928066)Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(rdz) (Entered: 02/02/2011)
02/01/2011		SUMMONS ISSUED as to All Defendants. (rdz) (Entered: 02/02/2011)
02/01/2011		CASE REFERRED TO Judge Lewis A. Kaplan as possibly related to 10-mc-00002. (rdz) (Entered: 02/02/2011)
02/01/2011		Case Designated ECF. (rdz) (Entered: 02/02/2011)
02/01/2011	<u>2</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Chevron Corporation.(rdz) (Entered: 02/02/2011)
02/03/2011		CASE ACCEPTED AS RELATED. Create association to 1:10-mc-00002-LAK. Notice of Assignment to follow. (sjo) (Entered: 02/03/2011)
02/03/2011	<u>3</u>	NOTICE OF CASE ASSIGNMENT to Judge Lewis A. Kaplan. Judge Unassigned is no longer assigned to the case. (sjo) (Entered: 02/03/2011)
02/03/2011		Magistrate Judge James C. Francis IV is so designated. (sjo) (Entered: 02/03/2011)
02/03/2011	<u>4</u>	ORDER TO SHOW CAUSE WHY A TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION SHOULD NOT BE ENTERED; ORDERED that the defendants listed herein, and their officers, agents, servants, employees and attorneys, and all persons in active concert or participation with them, show cause on 2/8/2011 at 02:00 PM in Courtroom 12D, 500 Pearl Street, New York, NY 10007 before Judge Lewis A. Kaplan, why an order should not be issued, pursuant to Rule 65(b) of the F.R.C.P., temporarily enjoining and restraining, until after the Court has had an opportunity to rule on Chevron's application for a preliminary injunction, as further set forth in this Order. It is further ORDERED that Chevron is granted permission to file an oversized brief of up to 70 pages in support of its Application by Order to Show Cause for a Temporary Restraining Order and Preliminary ; and Defendants may file one or more briefs collectively totaling up to 70 pages, as further set forth in this Order.



		(Signed by Judge Lewis A. Kaplan on 2/3/2011) (tro) (Entered: 02/03/2011)
02/05/2011	<u>5</u>	MEMORANDUM OF LAW in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A – Part 1, # <u>2</u> Exhibit A – Part 2, # <u>3</u> Exhibit A – Part 3, # <u>4</u> Exhibit A – Part 4)(Mastro, Randy) (Entered: 02/05/2011)
02/06/2011	<u>6</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, part 1, # <u>4</u> Exhibit 2, part 2, # <u>5</u> Exhibit 2, part 3, # <u>6</u> Exhibit 2, part 4, # <u>7</u> Exhibit 2, part 5, # <u>8</u> Exhibit 2, part 6, # <u>9</u> Exhibit 2, part 7, # <u>10</u> Exhibit 2, part 8)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>7</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 2, part 9, # <u>3</u> Exhibit 2, part 10, # <u>4</u> Exhibit 2, part 11, # <u>5</u> Exhibit 2, part 12, # <u>6</u> Exhibit 2, part 13, # <u>7</u> Exhibit 2, part 14, # <u>8</u> Exhibit 2, part 15, # <u>9</u> Exhibit 2, part 16, # <u>10</u> Exhibit 2, part 17)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>8</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 2, part 18, # <u>3</u> Exhibit 2, part 19, # <u>4</u> Exhibit 2, part 20, # <u>5</u> Exhibit 2, part 21, # <u>6</u> Exhibit 3, # <u>7</u> Exhibit 4, # <u>8</u> Exhibit 5, # <u>9</u> Exhibit 6, # <u>10</u> Exhibit 7, part 1, # <u>11</u> Exhibit 7, part 2, # <u>12</u> Exhibit 7, part 3, # <u>13</u> Exhibit 7, part 4)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>9</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 8, part 1, # <u>3</u> Exhibit 8, part 2, # <u>4</u> Exhibit 9, # <u>5</u> Exhibit 10, # <u>6</u> Exhibit 11, # <u>7</u> Exhibit 12, # <u>8</u> Exhibit 13, # <u>9</u> Exhibit 14, # <u>10</u> Exhibit 15, part 1, # <u>11</u> Exhibit 15, part 2, # <u>12</u> Exhibit 15, part 3, # <u>13</u> Exhibit 15, part 4, # <u>14</u> Exhibit 15, part 5)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>10</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 16, part, # <u>3</u> Exhibit 16, part 2, # <u>4</u> Exhibit 16, part 3, # <u>5</u> Exhibit 16, part 4, # <u>6</u> Exhibit 16, part 5, # <u>7</u> Exhibit 16, part 6, # <u>8</u> Exhibit 16, part 7, # <u>9</u> Exhibit 16, part 8, # <u>10</u> Exhibit 16, part 9)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>11</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 16, part 10, # <u>3</u> Exhibit 16, part 11, # <u>4</u> Exhibit 16, part 12, # <u>5</u> Exhibit 16, part 13, # <u>6</u> Exhibit 16, part 14, # <u>7</u> Exhibit 16, part 15, # <u>8</u> Exhibit 16, part 16, # <u>9</u> Exhibit 16, part 17)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>12</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 16, part 18, # <u>3</u> Exhibit 16, part 19, # <u>4</u> Exhibit 16, part 20, # <u>5</u> Exhibit 16, part 21, # <u>6</u> Exhibit 16, part 22, # <u>7</u> Exhibit 16, part 23, # <u>8</u> Exhibit 16, part 24, # <u>9</u> Exhibit 16, part 25, # <u>10</u> Exhibit 16, part 26, # <u>11</u> Exhibit 16, part 27, # <u>12</u> Exhibit 16, part 28)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>13</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 16, part 29, # <u>3</u> Exhibit 16, part 30, # <u>4</u> Exhibit 16, part 31, # <u>5</u> Exhibit 16, part 32, # <u>6</u> Exhibit 16, part 33, # <u>7</u> Exhibit 16, part 34, # <u>8</u> Exhibit 16, part 35, # <u>9</u> Exhibit 16, part 36, # <u>10</u> Exhibit 16, part 37, # <u>11</u> Exhibit 16, part 38, # <u>12</u> Exhibit 16, part 39, # <u>13</u> Exhibit 16, part 40, # <u>14</u> Exhibit 16, part 41)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>14</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 16, part 42, # <u>3</u> Exhibit 16, part 43, # <u>4</u> Exhibit 16, part 44, # <u>5</u> Exhibit 16, part 45, # <u>6</u> Exhibit 16, part 46, # <u>7</u> Exhibit 16, part 47, # <u>8</u> Exhibit 16, part 48, # <u>9</u> Exhibit 16, part 49, # <u>10</u> Exhibit 16, part 50, # <u>11</u> Exhibit 16, part 51, # <u>12</u> Exhibit 16, part 52, # <u>13</u> Exhibit 16, part 53, # <u>14</u> Exhibit 16, part 54)(Mastro, Randy) (Entered: 02/06/2011)

02/06/2011	<u>15</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 16, part 55, # <u>3</u> Exhibit 16, part 56, # <u>4</u> Exhibit 16, part 57, # <u>5</u> Exhibit 16, part 58, # <u>6</u> Exhibit 16, part 59, # <u>7</u> Exhibit 16, part 60, # <u>8</u> Exhibit 16, part 61, # <u>9</u> Exhibit 16, part 62, # <u>10</u> Exhibit 16, part 63, # <u>11</u> Exhibit 16, part 64, # <u>12</u> Exhibit 16, part 65, # <u>13</u> Exhibit 16, part 66, # <u>14</u> Exhibit 16, part 67)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>16</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 16, part 68, # <u>3</u> Exhibit 16, part 69, # <u>4</u> Exhibit 16, part 70, # <u>5</u> Exhibit 16, part 71, # <u>6</u> Exhibit 16, part 72, # <u>7</u> Exhibit 16, part 73, # <u>8</u> Exhibit 16, part 74, # <u>9</u> Exhibit 16, part 75, # <u>10</u> Exhibit 16, part 76)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>17</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 16, part 77, # <u>3</u> Exhibit 16, part 78, # <u>4</u> Exhibit 16, part 79, # <u>5</u> Exhibit 16, part 80, # <u>6</u> Exhibit 16, part 81, # <u>7</u> Exhibit 16, part 82, # <u>8</u> Exhibit 16, part 83, # <u>9</u> Exhibit 16, part 84)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>18</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 16, part 85, # <u>3</u> Exhibit 16, part 86, # <u>4</u> Exhibit 16, part 87, # <u>5</u> Exhibit 16, part 88, # <u>6</u> Exhibit 16, part 89, # <u>7</u> Exhibit 16, part 90, # <u>8</u> Exhibit 16, part 91, # <u>9</u> Exhibit 16, part 92, # <u>10</u> Exhibit 16, part 93, # <u>11</u> Exhibit 16, part 94, # <u>12</u> Exhibit 16, part 95, # <u>13</u> Exhibit 16, part 96, # <u>14</u> Exhibit 17, part 1, # <u>15</u> Exhibit 17, part 2)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>19</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 17, part 3, # <u>3</u> Exhibit 17, part 4, # <u>4</u> Exhibit 17, part 5, # <u>5</u> Exhibit 17, part 6, # <u>6</u> Exhibit 18, # <u>7</u> Exhibit 19, part 1, # <u>8</u> Exhibit 19, part 2)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>20</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 19, part 3, # <u>3</u> Exhibit 19, part 4, # <u>4</u> Exhibit 20, # <u>5</u> Exhibit 21, # <u>6</u> Exhibit 22, part 1, # <u>7</u> Exhibit 22, part 2, # <u>8</u> Exhibit 23, # <u>9</u> Exhibit 24, # <u>10</u> Exhibit 25, # <u>11</u> Exhibit 26, # <u>12</u> Exhibit 27, # <u>13</u> Exhibit 28, # <u>14</u> Exhibit 29, # <u>15</u> Exhibit 30, # <u>16</u> Exhibit 31)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>21</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 32, part 1, # <u>3</u> Exhibit 32, part 2, # <u>4</u> Exhibit 33, # <u>5</u> Exhibit 34, # <u>6</u> Exhibit 35, # <u>7</u> Exhibit 36, # <u>8</u> Exhibit 37, # <u>9</u> Exhibit 38, # <u>10</u> Exhibit 39, # <u>11</u> Exhibit 40, # <u>12</u> Exhibit 41, # <u>13</u> Exhibit 42, # <u>14</u> Exhibit 43, # <u>15</u> Exhibit 44, # <u>16</u> Exhibit 45, # <u>17</u> Exhibit 46, # <u>18</u> Exhibit 47, part 1, # <u>19</u> Exhibit 47, part 2, # <u>20</u> Exhibit 47, part 3, # <u>21</u> Exhibit 47, part 4, # <u>22</u> Exhibit 47, part 5)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>22</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 47, part 6, # <u>3</u> Exhibit 47, part 7, # <u>4</u> Exhibit 47, part 8, # <u>5</u> Exhibit 47, part 9, # <u>6</u> Exhibit 47, part 10, # <u>7</u> Exhibit 47, part 11, # <u>8</u> Exhibit 47, part 12, # <u>9</u> Exhibit 47, part 13, # <u>10</u> Exhibit 47, part 14, # <u>11</u> Exhibit 47, part 15, # <u>12</u> Exhibit 48, # <u>13</u> Exhibit 49, part 1, # <u>14</u> Exhibit 49, part 2)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>23</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 49, part 3, # <u>3</u> Exhibit 49, part 4, # <u>4</u> Exhibit 50, part 1, # <u>5</u> Exhibit 50, part 2, # <u>6</u> Exhibit 51, # <u>7</u> Exhibit 52, part 1, # <u>8</u> Exhibit 52, part 2, # <u>9</u> Exhibit 52, part 3, # <u>10</u> Exhibit 53)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>24</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u>

		Exhibit 54, part 1, # <u>3</u> Exhibit 54, part 2, # <u>4</u> Exhibit 54, part 3, # <u>5</u> Exhibit 54, part 4, # <u>6</u> Exhibit 55, part 1, # <u>7</u> Exhibit 55, part 2, # <u>8</u> Exhibit 55, part 3)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>25</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 56, # <u>3</u> Exhibit 57, # <u>4</u> Exhibit 58, # <u>5</u> Exhibit 59, part 1, # <u>6</u> Exhibit 59, part 2, # <u>7</u> Exhibit 59, part 3, # <u>8</u> Exhibit 59, part 4, # <u>9</u> Exhibit 60, part 1, # <u>10</u> Exhibit 60, part 2, # <u>11</u> Exhibit 60, part 3, # <u>12</u> Exhibit 61)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>26</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 62, part 1, # <u>3</u> Exhibit 62, part 2, # <u>4</u> Exhibit 63, part 1, # <u>5</u> Exhibit 63, part 2, # <u>6</u> Exhibit 63, part 3, # <u>7</u> Exhibit 63, part 4, # <u>8</u> Exhibit 64, # <u>9</u> Exhibit 65, # <u>10</u> Exhibit 66)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>27</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 67, # <u>3</u> Exhibit 68, # <u>4</u> Exhibit 69, part 1, # <u>5</u> Exhibit 69, part 2, # <u>6</u> Exhibit 69, part 3, # <u>7</u> Exhibit 69, part 4, # <u>8</u> Exhibit 69, part 5, # <u>9</u> Exhibit 70, part 1, # <u>10</u> Exhibit 70, part 2)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>28</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 71, # <u>3</u> Exhibit 72, # <u>4</u> Exhibit 73, # <u>5</u> Exhibit 74, # <u>6</u> Exhibit 75, # <u>7</u> Exhibit 76, part 1, # <u>8</u> Exhibit 76, part 2, # <u>9</u> Exhibit 76, part 3)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>29</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 76, part 4, # <u>3</u> Exhibit 76, part 5, # <u>4</u> Exhibit 77, # <u>5</u> Exhibit 78, # <u>6</u> Exhibit 79, # <u>7</u> Exhibit 80, # <u>8</u> Exhibit 81, # <u>9</u> Exhibit 82, # <u>10</u> Exhibit 83, # <u>11</u> Exhibit 84, # <u>12</u> Exhibit 85, part 1, # <u>13</u> Exhibit 85, part 2, # <u>14</u> Exhibit 85, part 3, # <u>15</u> Exhibit 85, part 4, # <u>16</u> Exhibit 85, part 5, # <u>17</u> Exhibit 86, # <u>18</u> Exhibit 87, # <u>19</u> Exhibit 88, # <u>20</u> Exhibit 89, # <u>21</u> Exhibit 90)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>30</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 91, # <u>3</u> Exhibit 92, # <u>4</u> Exhibit 93, # <u>5</u> Exhibit 94, # <u>6</u> Exhibit 95, # <u>7</u> Exhibit 96, # <u>8</u> Exhibit 97, # <u>9</u> Exhibit 98, # <u>10</u> Exhibit 99, # <u>11</u> Exhibit 100, # <u>12</u> Exhibit 101, # <u>13</u> Exhibit 102, # <u>14</u> Exhibit 103, # <u>15</u> Exhibit 104, # <u>16</u> Exhibit 105, # <u>17</u> Exhibit 106, # <u>18</u> Exhibit 107, # <u>19</u> Exhibit 108, # <u>20</u> Exhibit 109, # <u>21</u> Exhibit 110, # <u>22</u> Exhibit 111, # <u>23</u> Exhibit 112, part 1, # <u>24</u> Exhibit 112, part 2, # <u>25</u> Exhibit 113, # <u>26</u> Exhibit 114, # <u>27</u> Exhibit 115, # <u>28</u> Exhibit 116, # <u>29</u> Exhibit 117, # <u>30</u> Exhibit 118, # <u>31</u> Exhibit 119, # <u>32</u> Exhibit 120)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>31</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 121, part 1, # <u>3</u> Exhibit 121, part 2, # <u>4</u> Exhibit 121, part 3, # <u>5</u> Exhibit 121, part 4, # <u>6</u> Exhibit 122, # <u>7</u> Exhibit 122A, # <u>8</u> Exhibit 123, # <u>9</u> Exhibit 124, # <u>10</u> Exhibit 125, # <u>11</u> Exhibit 126, # <u>12</u> Exhibit 127, # <u>13</u> Exhibit 128, # <u>14</u> Exhibit 129, # <u>15</u> Exhibit 130, # <u>16</u> Exhibit 131, # <u>17</u> Exhibit 132, # <u>18</u> Exhibit 133, # <u>19</u> Exhibit 134, # <u>20</u> Exhibit 135, # <u>21</u> Exhibit 136, # <u>22</u> Exhibit 137, # <u>23</u> Exhibit 138, # <u>24</u> Exhibit 139, # <u>25</u> Exhibit 140, # <u>26</u> Exhibit 141, # <u>27</u> Exhibit 142, # <u>28</u> Exhibit 143, # <u>29</u> Exhibit 144, # <u>30</u> Exhibit 145, # <u>31</u> Exhibit 146)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>32</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 147, # <u>3</u> Exhibit 148, # <u>4</u> Exhibit 149, # <u>5</u> Exhibit 150, # <u>6</u> Exhibit 151, # <u>7</u> Exhibit 152, # <u>8</u> Exhibit 153, # <u>9</u> Exhibit 154, part 1, # <u>10</u> Exhibit 154, part 2, # <u>11</u> Exhibit 155, # <u>12</u> Exhibit 156, # <u>13</u> Exhibit 157, # <u>14</u> Exhibit 158, # <u>15</u> Exhibit 159, # <u>16</u> Exhibit 160, # <u>17</u> Exhibit 161, # <u>18</u> Exhibit 162, # <u>19</u> Exhibit 163, # <u>20</u> Exhibit 164, # <u>21</u> Exhibit 165, # <u>22</u> Exhibit 166, # <u>23</u> Exhibit 167)(Mastro, Randy) (Entered: 02/06/2011)

02/06/2011	<u>33</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 168, # <u>3</u> Exhibit 169, # <u>4</u> Exhibit 170, # <u>5</u> Exhibit 171, # <u>6</u> Exhibit 172, # <u>7</u> Exhibit 173, # <u>8</u> Exhibit 174, # <u>9</u> Exhibit 175, # <u>10</u> Exhibit 176, # <u>11</u> Exhibit 177, # <u>12</u> Exhibit 178, part 1, # <u>13</u> Exhibit 178, part 2, # <u>14</u> Exhibit 178, part 3, # <u>15</u> Exhibit 178, part 4, # <u>16</u> Exhibit 178, part 5, # <u>17</u> Exhibit 178, part 6, # <u>18</u> Exhibit 178, part 7)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>34</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 178, part 8, # <u>3</u> Exhibit 178, part 9, # <u>4</u> Exhibit 179, # <u>5</u> Exhibit 180, # <u>6</u> Exhibit 181, # <u>7</u> Exhibit 182, # <u>8</u> Exhibit 183, # <u>9</u> Exhibit 184, # <u>10</u> Exhibit 185, # <u>11</u> Exhibit 186, # <u>12</u> Exhibit 187, # <u>13</u> Exhibit 188, # <u>14</u> Exhibit 189, # <u>15</u> Exhibit 190, # <u>16</u> Exhibit 191, # <u>17</u> Exhibit 192, # <u>18</u> Exhibit 193, # <u>19</u> Exhibit 194, # <u>20</u> Exhibit 195, # <u>21</u> Exhibit 196, # <u>22</u> Exhibit 197, # <u>23</u> Exhibit 198, # <u>24</u> Exhibit 199, # <u>25</u> Exhibit 200, # <u>26</u> Exhibit 201, # <u>27</u> Exhibit 202, # <u>28</u> Exhibit 203, # <u>29</u> Exhibit 204, # <u>30</u> Exhibit 205)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>35</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 206, part 1, # <u>3</u> Exhibit 206, part 2, # <u>4</u> Exhibit 206, part 3, # <u>5</u> Exhibit 206, part 4, # <u>6</u> Exhibit 206, part 5, # <u>7</u> Exhibit 206, part 6, # <u>8</u> Exhibit 207, # <u>9</u> Exhibit 208, # <u>10</u> Exhibit 209)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>36</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 210, part 1, # <u>3</u> Exhibit 210, part 2, # <u>4</u> Exhibit 211, # <u>5</u> Exhibit 212, # <u>6</u> Exhibit 213, # <u>7</u> Exhibit 214, # <u>8</u> Exhibit 215, # <u>9</u> Exhibit 216, # <u>10</u> Exhibit 217, # <u>11</u> Exhibit 218, # <u>12</u> Exhibit 219, # <u>13</u> Exhibit 220, # <u>14</u> Exhibit 221, # <u>15</u> Exhibit 222, # <u>16</u> Exhibit 223, # <u>17</u> Exhibit 224, # <u>18</u> Exhibit 224A, # <u>19</u> Exhibit 225, # <u>20</u> Exhibit 225A, # <u>21</u> Exhibit 226, # <u>22</u> Exhibit 226A, # <u>23</u> Exhibit 227, # <u>24</u> Exhibit 227A, # <u>25</u> Exhibit 228, # <u>26</u> Exhibit 228A)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>37</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 229, # <u>3</u> Exhibit 229A, # <u>4</u> Exhibit 230, # <u>5</u> Exhibit 230A, # <u>6</u> Exhibit 231, # <u>7</u> Exhibit 231A, # <u>8</u> Exhibit 232, # <u>9</u> Exhibit 232A, # <u>10</u> Exhibit 233, # <u>11</u> Exhibit 233A, # <u>12</u> Exhibit 234, # <u>13</u> Exhibit 235, # <u>14</u> Exhibit 236, # <u>15</u> Exhibit 237, # <u>16</u> Exhibit 238, # <u>17</u> Exhibit 239, # <u>18</u> Exhibit 240, # <u>19</u> Exhibit 241, # <u>20</u> Exhibit 242, part 1, # <u>21</u> Exhibit 242, part 2, # <u>22</u> Exhibit 242, part 3, # <u>23</u> Exhibit 242, part 4, # <u>24</u> Exhibit 242, part 5, # <u>25</u> Exhibit 242, part 6, # <u>26</u> Exhibit 242, part 7, # <u>27</u> Exhibit 242, part 8)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>38</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 242, part 9, # <u>3</u> Exhibit 242, part 10, # <u>4</u> Exhibit 242, part 11a, # <u>5</u> Exhibit 242, part 11b, # <u>6</u> Exhibit 242, part 12, # <u>7</u> Exhibit 242, part 13a, # <u>8</u> Exhibit 242, part 13b, # <u>9</u> Exhibit 242, part 14)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>39</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 242, part 15, # <u>3</u> Exhibit 242, part 16, # <u>4</u> Exhibit 242, part 18, # <u>5</u> Exhibit 242, part 19, # <u>6</u> Exhibit 242, part 20, # <u>7</u> Exhibit 242, part 21)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>40</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 242, part 21, # <u>3</u> Exhibit 242, part 23, # <u>4</u> Exhibit 242, part 24, # <u>5</u> Exhibit 242, part 25, # <u>6</u> Exhibit 242, part 26, # <u>7</u> Exhibit 242, part 27)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>41</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 242, part 28, # <u>3</u> Exhibit 242, part 29, # <u>4</u> Exhibit 242, part 30, # <u>5</u> Exhibit 242, part 31, # <u>6</u> Exhibit 242, part 32, # <u>7</u> Exhibit 242, part 33, # <u>8</u> Exhibit 242, part 34)(Mastro, Randy) (Entered: 02/06/2011)



02/06/2011	<u>42</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 242, part 35, # <u>3</u> Exhibit 242, part 36, # <u>4</u> Exhibit 242, part 37, # <u>5</u> Exhibit 242, part 38, # <u>6</u> Exhibit 242, part 39, # <u>7</u> Exhibit 242, part 40, # <u>8</u> Exhibit 242, part 41, # <u>9</u> Exhibit 242, part 42, # <u>10</u> Exhibit 242, part 43)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>43</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 242, part 44, # <u>3</u> Exhibit 242, part 45, # <u>4</u> Exhibit 242, part 46, # <u>5</u> Exhibit 242, part 47, # <u>6</u> Exhibit 242, part 48, # <u>7</u> Exhibit 242, part 49, # <u>8</u> Exhibit 242, part 50)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>44</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 242, part 51, # <u>3</u> Exhibit 242, part 52, # <u>4</u> Exhibit 242, part 53, # <u>5</u> Exhibit 242, part 54, # <u>6</u> Exhibit 242, part 55, # <u>7</u> Exhibit 242, part 56, # <u>8</u> Exhibit 242, part 57, # <u>9</u> Exhibit 242, part 58)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>45</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 242, part 59, # <u>3</u> Exhibit 242, part 60, # <u>4</u> Exhibit 242, part 61, # <u>5</u> Exhibit 242, part 62, # <u>6</u> Exhibit 242, part 63, # <u>7</u> Exhibit 242, part 64, # <u>8</u> Exhibit 242, part 65, # <u>9</u> Exhibit 242, part 66)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>46</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 242, part 67, # <u>3</u> Exhibit 242, part 68, # <u>4</u> Exhibit 242, part 69, # <u>5</u> Exhibit 242, part 70, # <u>6</u> Exhibit 242, part 71, # <u>7</u> Exhibit 242, part 72, # <u>8</u> Exhibit 242, part 73, # <u>9</u> Exhibit 242, part 74, # <u>10</u> Exhibit 242, part 75)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>47</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 242, part 76, # <u>3</u> Exhibit 242, part 77, # <u>4</u> Exhibit 243, # <u>5</u> Exhibit 244, # <u>6</u> Exhibit 245, # <u>7</u> Exhibit 246, # <u>8</u> Exhibit 247, # <u>9</u> Exhibit 248, # <u>10</u> Exhibit 249, # <u>11</u> Exhibit 250, # <u>12</u> Exhibit 251, # <u>13</u> Exhibit 252, # <u>14</u> Exhibit 253, # <u>15</u> Exhibit 254, # <u>16</u> Exhibit 255, # <u>17</u> Exhibit 256, # <u>18</u> Exhibit 257, # <u>19</u> Exhibit 258, # <u>20</u> Exhibit 259, # <u>21</u> Exhibit 260, # <u>22</u> Exhibit 261, # <u>23</u> Exhibit 262, # <u>24</u> Exhibit 263, # <u>25</u> Exhibit 264, # <u>26</u> Exhibit 265, # <u>27</u> Exhibit 266, # <u>28</u> Exhibit 267, # <u>29</u> Exhibit 268, # <u>30</u> Exhibit 269, # <u>31</u> Exhibit 270, # <u>32</u> Exhibit 270A, # <u>33</u> Exhibit 271, # <u>34</u> Exhibit 272, # <u>35</u> Exhibit 273, # <u>36</u> Exhibit 274, # <u>37</u> Exhibit 275, # <u>38</u> Exhibit 276, # <u>39</u> Exhibit 277, # <u>40</u> Exhibit 278, # <u>41</u> Exhibit 279, # <u>42</u> Exhibit 280, # <u>43</u> Exhibit 281, # <u>44</u> Exhibit 282, # <u>45</u> Exhibit 283, # <u>46</u> Exhibit 284, # <u>47</u> Exhibit 285, # <u>48</u> Exhibit 286, # <u>49</u> Exhibit 287, # <u>50</u> Exhibit 288, # <u>51</u> Exhibit 289, # <u>52</u> Exhibit 290, # <u>53</u> Exhibit 291, # <u>54</u> Exhibit 292, # <u>55</u> Exhibit 293, # <u>56</u> Exhibit 294, # <u>57</u> Exhibit 295, # <u>58</u> Exhibit 296, # <u>59</u> Exhibit 297, # <u>60</u> Exhibit 298, # <u>61</u> Exhibit 299, # <u>62</u> Exhibit 300, # <u>63</u> Exhibit 301, # <u>64</u> Exhibit 302, # <u>65</u> Exhibit 303, # <u>66</u> Exhibit 304)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>48</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 305, # <u>3</u> Exhibit 306, # <u>4</u> Exhibit 307, # <u>5</u> Exhibit 308, # <u>6</u> Exhibit 309, # <u>7</u> Exhibit 310, # <u>8</u> Exhibit 311, # <u>9</u> Exhibit 312, # <u>10</u> Exhibit 313, # <u>11</u> Exhibit 314, # <u>12</u> Exhibit 315, # <u>13</u> Exhibit 316, part 1, # <u>14</u> Exhibit 316, part 2, # <u>15</u> Exhibit 317, # <u>16</u> Exhibit 318, # <u>17</u> Exhibit 319, # <u>18</u> Exhibit 320, # <u>19</u> Exhibit 321, # <u>20</u> Exhibit 322, # <u>21</u> Exhibit 323, # <u>22</u> Exhibit 324, # <u>23</u> Exhibit 325, # <u>24</u> Exhibit 326, # <u>25</u> Exhibit 327, # <u>26</u> Exhibit 328, # <u>27</u> Exhibit 329, # <u>28</u> Exhibit 330, # <u>29</u> Exhibit 331, # <u>30</u> Exhibit 332, # <u>31</u> Exhibit 333, # <u>32</u> Exhibit 334, # <u>33</u> Exhibit 335, # <u>34</u> Exhibit 336, # <u>35</u> Exhibit 337)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>49</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 338, # <u>3</u> Exhibit 339, # <u>4</u> Exhibit 340, # <u>5</u> Exhibit 341, # <u>6</u> Exhibit 342, # <u>7</u> Exhibit 343, # <u>8</u> Exhibit 344, # <u>9</u> Exhibit 345, # <u>10</u> Exhibit 346, # <u>11</u> Exhibit 347, # <u>12</u> Exhibit 348, # <u>13</u> Exhibit 349, # <u>14</u> Exhibit 350, # <u>15</u> Exhibit 351, # <u>16</u> Exhibit 352, # <u>17</u> Exhibit 353, # <u>18</u> Exhibit 354, # <u>19</u> Exhibit 355, # <u>20</u> Exhibit 356, # <u>21</u>

		Exhibit 357, # <u>22</u> Exhibit 358, # <u>23</u> Exhibit 359, # <u>24</u> Exhibit 360, # <u>25</u> Exhibit 361, # <u>26</u> Exhibit 362, # <u>27</u> Exhibit 363, # <u>28</u> Exhibit 364, # <u>29</u> Exhibit 365, # <u>30</u> Exhibit 366, # <u>31</u> Exhibit 367, # <u>32</u> Exhibit 368, # <u>33</u> Exhibit 369, # <u>34</u> Exhibit 370, # <u>35</u> Exhibit 371, # <u>36</u> Exhibit 372, # <u>37</u> Exhibit 373, # <u>38</u> Exhibit 374, part 1)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>50</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 374, part 2, # <u>3</u> Exhibit 375, part 1, # <u>4</u> Exhibit 375, part 2, # <u>5</u> Exhibit 376, # <u>6</u> Exhibit 377, # <u>7</u> Exhibit 378, # <u>8</u> Exhibit 379, part 1, # <u>9</u> Exhibit 379, part 2, # <u>10</u> Exhibit 380, # <u>11</u> Exhibit 381, part 1, # <u>12</u> Exhibit 381, part 2)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>51</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 381, part 3, # <u>3</u> Exhibit 381, part 4, # <u>4</u> Exhibit 382, part 1, # <u>5</u> Exhibit 382, part 2, # <u>6</u> Exhibit 383, # <u>7</u> Exhibit 384, # <u>8</u> Exhibit 385, # <u>9</u> Exhibit 386, # <u>10</u> Exhibit 387, # <u>11</u> Exhibit 388, # <u>12</u> Exhibit 389, # <u>13</u> Exhibit 390, # <u>14</u> Exhibit 391, # <u>15</u> Exhibit 392, # <u>16</u> Exhibit 393, # <u>17</u> Exhibit 394)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>52</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 395, # <u>3</u> Exhibit 396, # <u>4</u> Exhibit 397, # <u>5</u> Exhibit 398, part 1, # <u>6</u> Exhibit 398, part 2, # <u>7</u> Exhibit 399, # <u>8</u> Exhibit 400, part 1, # <u>9</u> Exhibit 400, part 2, # <u>10</u> Exhibit 400, part 3, # <u>11</u> Exhibit 400, part 4, # <u>12</u> Exhibit 400, part, # <u>13</u> Exhibit 401)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>53</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 402, # <u>3</u> Exhibit 403, # <u>4</u> Exhibit 404, # <u>5</u> Exhibit 405, # <u>6</u> Exhibit 406, # <u>7</u> Exhibit 407, # <u>8</u> Exhibit 408, # <u>9</u> Exhibit 409, # <u>10</u> Exhibit 410, # <u>11</u> Exhibit 411, # <u>12</u> Exhibit 412, # <u>13</u> Exhibit 413, part 1, # <u>14</u> Exhibit 413, part 2, # <u>15</u> Exhibit 414, # <u>16</u> Exhibit 415, # <u>17</u> Exhibit 416, # <u>18</u> Exhibit 417, # <u>19</u> Exhibit 418, # <u>20</u> Exhibit 419, # <u>21</u> Exhibit 420, # <u>22</u> Exhibit 421, # <u>23</u> Exhibit 422, # <u>24</u> Exhibit 423, # <u>25</u> Exhibit 424, # <u>26</u> Exhibit 425, # <u>27</u> Exhibit 426, # <u>28</u> Exhibit 427, # <u>29</u> Exhibit 428, # <u>30</u> Exhibit 429, # <u>31</u> Exhibit 430)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>54</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 430, # <u>3</u> Exhibit 431, # <u>4</u> Exhibit 432, # <u>5</u> Exhibit 433, # <u>6</u> Exhibit 434, # <u>7</u> Exhibit 435, # <u>8</u> Exhibit 436, # <u>9</u> Exhibit 437, # <u>10</u> Exhibit 438, # <u>11</u> Exhibit 439, # <u>12</u> Exhibit 440, # <u>13</u> Exhibit 441, # <u>14</u> Exhibit 442, # <u>15</u> Exhibit 443, # <u>16</u> Exhibit 444, # <u>17</u> Exhibit 445, # <u>18</u> Exhibit 446, # <u>19</u> Exhibit 447, # <u>20</u> Exhibit 448, # <u>21</u> Exhibit 449, # <u>22</u> Exhibit 450, # <u>23</u> Exhibit 451, # <u>24</u> Exhibit 452, # <u>25</u> Exhibit 453, # <u>26</u> Exhibit 454, # <u>27</u> Exhibit 455, # <u>28</u> Exhibit 456, # <u>29</u> Exhibit 457, # <u>30</u> Exhibit 458, # <u>31</u> Exhibit 459)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>55</u>	DECLARATION of Kristin Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration, part 2, # <u>2</u> Exhibit 242, part 17, # <u>3</u> Exhibit 333)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>56</u>	DECLARATION of Vladimir Alvarez Grau in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Tab A, # <u>2</u> Exhibits 1 – 3, # <u>3</u> Exhibit 4, part 1, # <u>4</u> Exhibit 4, part 2, # <u>5</u> Exhibits 5 – 9, # <u>6</u> Exhibits 10 – 13, # <u>7</u> Exhibits 14 – 18, # <u>8</u> Exhibits 19 – 26, # <u>9</u> Exhibits 27 – 34)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>57</u>	DECLARATION of Vladimiro Alvarez Grau in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibits 35 – 39, # <u>2</u> Exhibits 40 – 41, # <u>3</u> Exhibits 42 – 47, # <u>4</u> Exhibit 48, # <u>5</u> Exhibits 49 – 67, # <u>6</u> Exhibits 68 – 73, # <u>7</u> Exhibits 74 – 82, # <u>8</u> Exhibits 83 – 95)(Mastro, Randy) (Entered: 02/06/2011)
02/06/2011	<u>58</u>	DECLARATION of Vladimiro Alvarez Grau in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibits 96

		– 103, # <u>2</u> Exhibits 104 – 111, # <u>3</u> Exhibits 112 – 113, # <u>4</u> Exhibits 114 – 130)(Mastro, Randy) (Entered: 02/06/2011)
02/07/2011	<u>59</u>	NOTICE OF APPEARANCE by Kristen Luise Hendricks on behalf of Chevron Corporation (Hendricks, Kristen) (Entered: 02/07/2011)
02/08/2011	<u>60</u>	NOTICE OF APPEARANCE by Sheldon Howard Elsen on behalf of Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje (Elsen, Sheldon) (Entered: 02/08/2011)
02/08/2011	<u>61</u>	MEMORANDUM OF LAW in Opposition to <i>Order to Show Cause....</i> Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Memorandum of Law 2 of 2)(Elsen, Sheldon) (Entered: 02/08/2011)
02/08/2011	<u>62</u>	AFFIRMATION of Sheldon Elsen in Opposition re: <u>61</u> Memorandum of Law in Opposition. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B–1, # <u>3</u> Exhibit Exhibit B–2, # <u>4</u> Exhibit Exhibit C, # <u>5</u> Exhibit Exhibit D, # <u>6</u> Exhibit Exhibit E, # <u>7</u> Exhibit Exhibit F)(Elsen, Sheldon) (Entered: 02/08/2011)
02/08/2011	<u>63</u>	AFFIRMATION of Sheldon Elsen in Opposition re: <u>4</u> Order to Show Cause,,,,. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit Exhibit G–1, # <u>2</u> Exhibit Exhibit G–2, # <u>3</u> Exhibit Exhibit G–3, # <u>4</u> Exhibit Exhibit G–4, # <u>5</u> Exhibit Exhibit H–1, # <u>6</u> Exhibit Exhibit H–2, # <u>7</u> Exhibit Exhibit H–3, # <u>8</u> Exhibit Exhibit I, # <u>9</u> Exhibit Exhibit J, # <u>10</u> Exhibit Exhibit K)(Elsen, Sheldon) (Entered: 02/08/2011)
02/08/2011	<u>64</u>	AFFIRMATION of Sheldon Elsen in Opposition re: <u>4</u> Order to Show Cause,,,,. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit Exhibit L–1, # <u>2</u> Exhibit Exhibit L–2, # <u>3</u> Exhibit Exhibit L–3, # <u>4</u> Exhibit Exhibit L–4, # <u>5</u> Exhibit Exhibit M, # <u>6</u> Exhibit Exhibit N–1, # <u>7</u> Exhibit Exhibit N–2, # <u>8</u> Exhibit Exhibit O, # <u>9</u> Exhibit Exhibit P, # <u>10</u> Exhibit Exhibit Q)(Elsen, Sheldon) (Entered: 02/08/2011)
02/08/2011	<u>65</u>	AFFIRMATION of Sheldon Elsen in Opposition re: <u>4</u> Order to Show Cause,,,,. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit Exhibit R–1, # <u>2</u> Exhibit Exhibit R–2, # <u>3</u> Exhibit Exhibit R–3, # <u>4</u> Exhibit Exhibit S–1, # <u>5</u> Exhibit Exhibit S–2, # <u>6</u> Exhibit Exhibit T, # <u>7</u> Exhibit Exhibit U, # <u>8</u> Exhibit Exhibit V, # <u>9</u> Exhibit Exhibit W, # <u>10</u> Exhibit Exhibit X, # <u>11</u> Exhibit Exhibit Y, # <u>12</u> Exhibit Exhibit Z)(Elsen, Sheldon) (Entered: 02/08/2011)
02/08/2011	<u>66</u>	AFFIRMATION of Sheldon Elsen in Opposition re: <u>4</u> Order to Show Cause,,,,. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit AA, # <u>2</u> Exhibit BB, # <u>3</u> Exhibit CC, # <u>4</u> Exhibit DD, # <u>5</u> Exhibit EE, # <u>6</u> Exhibit FF, # <u>7</u> Exhibit GG, # <u>8</u> Exhibit HH, # <u>9</u> Exhibit II, # <u>10</u> Exhibit JJ, # <u>11</u> Exhibit KK, # <u>12</u> Exhibit LL, # <u>13</u> Exhibit MM, # <u>14</u> Exhibit NN, # <u>15</u> Exhibit OO–1, # <u>16</u> Exhibit OO–2, # <u>17</u> Exhibit OO–3, # <u>18</u> Exhibit PP, # <u>19</u> Exhibit QQ, # <u>20</u> Exhibit RR, # <u>21</u> Exhibit SS, # <u>22</u> Exhibit TT, # <u>23</u> Exhibit UU)(Elsen, Sheldon) (Entered: 02/08/2011)
02/08/2011	<u>67</u>	AFFIRMATION of Sheldon Elsen in Opposition re: <u>4</u> Order to Show Cause,,,,. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit VV, # <u>2</u> Exhibit WW, # <u>3</u> Exhibit XX, # <u>4</u> Exhibit YY, # <u>5</u> Exhibit ZZ, # <u>6</u> Exhibit AAA)(Elsen, Sheldon) (Entered: 02/08/2011)
02/08/2011	<u>68</u>	AFFIDAVIT OF SERVICE of Summons and Complaint,,,,,. Steven Donziger served on 2/3/2011, answer due 2/24/2011; The Law Offices of Steven R. Donziger served on 2/3/2011, answer due 2/24/2011. Service was accepted by Rafael Quinetine, Doorman. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/08/2011)
02/08/2011	<u>69</u>	AFFIDAVIT OF SERVICE of Summons and Complaint,,,,,. Douglas Beltman served on 2/1/2011, answer due 2/22/2011. Service was accepted by Douglas Beltman. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/08/2011)

02/08/2011	<u>70</u>	AFFIDAVIT OF SERVICE of Summons and Complaint,,,,,, Ann Maest served on 2/1/2011, answer due 2/22/2011. Service was accepted by Ann Maest. Document filed by Ann Maest. (Mastro, Randy) (Entered: 02/08/2011)
02/08/2011	<u>71</u>	AFFIDAVIT OF SERVICE of Summons and Complaint,,,,,, Stratus Consulting, Inc. served on 2/1/2011, answer due 2/22/2011. Service was accepted by Douglas Beltman, Authorized Agent. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/08/2011)
02/08/2011	<u>72</u>	AFFIDAVIT OF SERVICE of Order to Show Cause for a Temporary Restraining Order and Preliminary Injunction, Proposed Order to Show Cause, Memorandum of Law dated February 3, 2011, Declaration of Kristen L. Hendricks with supporting exhibits dated February 3, 2011, and Declaration of Vladimiro Alvarez Grau with supporting exhibits dated February 3, 2011 (Doc No. 4 to 58) served on Douglas Beltman on 02/03/2011. Service was accepted by Douglas Beltman. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/08/2011)
02/08/2011	<u>73</u>	AFFIDAVIT OF SERVICE of Order to Show Cause for a Temporary Restraining Order and Preliminary Injunction, Proposed Order to Show Cause, Memorandum of Law dated February 3, 2011, Declaration of Kristen L. Hendricks with supporting exhibits dated February 3, 2011, and Declaration of Vladimiro Alvarez Grau with supporting exhibits dated February 3, 2011 (Doc No. 4 to 58) served on Ann Maest on 02/03/2011. Service was accepted by Ann Maest. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/08/2011)
02/08/2011	<u>74</u>	AFFIDAVIT OF SERVICE of Order to Show Cause for a Temporary Restraining Order and Preliminary Injunction, Proposed Order to Show Cause, Memorandum of Law dated February 3, 2011, Declaration of Kristen L. Hendricks with supporting exhibits dated February 3, 2011, and Declaration of Vladimiro Alvarez Grau with supporting exhibits dated February 3, 2011 (Doc No. 4 to 58) served on Stratus Consulting, Inc. on 02/03/2011. Service was accepted by Douglas Beltman, Authorized Agent. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/08/2011)
02/08/2011	<u>75</u>	AFFIDAVIT OF SERVICE of 1) Summons in a Civil Action, filed February 1, 2011; 2) Civil Cover Sheet and Related Case Explanation, filed February 1, 2011; 3) Complaint, filed February 1, 2011; 4) Chevron Corporation's Rule 7.1 Statement, filed February 1, 2011; 5) Order to Show Cause Why a Temporary Restraining Order and Preliminary Injunction Should Not Be Entered, issued February 3, 2011; 6) Chevron's Memorandum of Law in Support of Its Application by Order to Show Cause for a Temporary Restraining Order and Preliminary Injunction, filed February 3, 2011; 7) Declaration of Kristen L. Hendricks in Support of Chevron Corporation's Motion for Preliminary Injunction, filed February 3, 2011; 8) Declaration of Vladimiro Ivarez Grau in Support of Chevron Corporation's Motion for a Temporary Restraining Order and Preliminary Injunction, filed February 3, 2011; and 9) a cover letter from Randy M. Mastro to the Court, dated February 3, 2011, enclosing documents 58 served on Steven Donziger, Pablo Fajardo Mendoza, Luis Yanza, the Frente de Defensa de la Amazonia a/k/a Amazon Defense Front, Selva Viva Selviva CIA, LTDA, and Fajardo as agent for the 47 Individual Lago Agrio Plaintiffs (See Declaration for Individually Named Defendants) on 02/04/2011. Service was made by Electronic Mail, By Hand Delivery and Overnight Mail Delivery. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A through F, # <u>2</u> Exhibit G through L)(Mastro, Randy) (Entered: 02/08/2011)
02/08/2011	<u>76</u>	FILING ERROR – ELECTRONIC FILING FOR NON–ECF DOCUMENT(LETTER) – NOTICE of Request for Adjournment and Other Relief re: <u>4</u> Order to Show Cause. Document filed by Steven Donziger. (Donziger, Steven) Modified on 2/10/2011 (ka). (Entered: 02/08/2011)
02/08/2011		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Oral Argument held on 2/8/2011. (mro) (Entered: 03/02/2011)
02/09/2011	<u>77</u>	ORDER ON PLAINTIFF'S MOTION FOR TEMPORARY RESTRAINING ORDER: Accordingly, the motion for a temporary restraining order is granted. Defendants, their officers, agents, servants, employees and attorneys and all other persons in active concert or participation with any of the foregoing be and they



		hereby are restrained, to and including 11:59 p.m. on February 22, 2011, from funding, commencing, prosecuting, advancing in any way, or receiving benefit from, directly or indirectly, any action or proceeding for recognition or enforcement of any judgment entered against Chevron in Maria Aguinda y Otros v. Chevron Corporation, No. 002–2003 (the "Lago Agrio Litigation") currently pending in the Provincial Court of Justice of Sucumbios in Ecuador, or for prejudgment seizure or attachment of assets based on any such judgment. The continuation of the temporary restraining order beyond noon on February 11, 2011 is conditioned upon Chevron having posted a bond in the amount of \$10,000 prior to that time. It is further ordered as follows: 1. All papers in opposition to plaintiff's motion for a preliminary injunction shall be filed and served no later than February 11, 2011 at 5 p.m., and any reply papers in support of that motion shall be filed and served no later than February 15, 2011 at 5 p.m. 2. Unless otherwise ordered, the Court will hear argument on the motion for preliminary injunction on February 18, 2011 at 9:30 a.m. 3. The parties shall hold the period beginning on February 22, 2011 available for an evidentiary hearing in the event the Court determines that such a hearing is necessary or appropriate. (Responses due by 2/11/2011. Replies due by 2/15/2011. Oral Argument set for 2/18/2011 at 09:30 AM before Judge Lewis A. Kaplan.) (Signed by Judge Lewis A. Kaplan on 2/8/2011) (tro) Modified on 2/16/2011 (tro). (Entered: 02/09/2011)
02/09/2011	<u>78</u>	ORDER: Chevron should file with the Court a DVD or CD–Rom containing the exhibits presented at the February 8, 2011 oral argument. (Signed by Judge Lewis A. Kaplan on 2/9/2011) (jpo) (Entered: 02/09/2011)
02/09/2011	<u>79</u>	ORDER: The Court yesterday granted a temporary restraining order and has scheduled argument on the motion for a preliminary injunction for 9:30 a.m. on February 18, 2011. the Court hereby solicits the views, if any, of the U.S. Department of State with respect to the pending motion. Should the Department wish to express a position, the Court would appreciate receiving its submission on or before February 15, 2010 or, in any case, as soon thereafter as possible. The parties are directed to provide copies of (1) this order, (2) all papers filed herein, and (3) this Court's and the Court of Appeals' decision in In re Chevron Corp., Nos. 10 Mc 0001 and 10 Mc 002 to the Legal Advisor of the Department of State no later than the close of business on February 10, 2011. (Signed by Judge Lewis A. Kaplan on 2/9/2011) (jpo) (Entered: 02/09/2011)
02/09/2011		Set/Reset Hearings: Oral Argument set for 2/18/2011 at 09:30 AM before Judge Lewis A. Kaplan. (tro) (Entered: 02/09/2011)
02/09/2011		***DELETED DOCUMENT. Deleted document number <u>80</u> Order as a duplicate of <u>79</u> . The document was incorrectly filed in this case. (tro) (Entered: 02/09/2011)
02/10/2011		***NOTE TO ATTORNEY THAT THE ATTEMPTED FILING OF Document No. <u>76</u> HAS BEEN REJECTED. Note to Attorney Steven R. Donziger : THE CLERK'S OFFICE DOES NOT ACCEPT LETTERS FOR FILING, either through ECF or otherwise, except where the judge has ordered that a particular letter be docketed. Letters may be sent directly to a judge. (ka) (Entered: 02/10/2011)
02/11/2011	<u>80</u>	NOTICE OF APPEARANCE by Steven J. Hyman on behalf of Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje (Hyman, Steven) (Entered: 02/11/2011)
02/11/2011	<u>81</u>	MEMORANDUM OF LAW in Opposition re: <u>4</u> Order to Show Cause,,,, Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Hyman, Steven) (Entered: 02/11/2011)
02/11/2011	<u>82</u>	NOTICE of Substitution of Attorney. Old Attorney: Shelden Elsen, Esq., New Attorney: Steven J. Hyman, Esq. and Norman Siegel, Esq., Address: McLaughlin and Stern, LLP, 260 Madison Ave., 18th Fl., New York, NY, USA 10016, 212–448–1100. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Hyman, Steven) (Entered: 02/11/2011)
02/11/2011	<u>83</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – (SEE DOCUMENT #85) – CERTIFICATE OF SERVICE of Notice of Substitution of Counsel served on Chevron Corporation on February 11, 2011. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Hyman, Steven) Modified on

		2/18/2011 (lb). (Entered: 02/11/2011)
02/11/2011	<u>84</u>	CERTIFICATE OF SERVICE of Notice of Appearance served on Chevron Corporation on February 11, 2011. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Hyman, Steven) (Entered: 02/11/2011)
02/11/2011	<u>85</u>	CERTIFICATE OF SERVICE of Memorandum of Law in Opposition to Preliminary Injunction served on Chevron Corporation on February 11, 2011. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Hyman, Steven) (Entered: 02/11/2011)
02/11/2011	<u>86</u>	CERTIFICATE OF SERVICE of Notice of Substitution of Counsel served on Chevron Corporation on February 11, 2011. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Hyman, Steven) (Entered: 02/11/2011)
02/14/2011	<u>87</u>	ORDER. Papers in opposition to Chevron's motion for preliminary injunction were due by 5 p.m. on February 11, 2011. None of the defendants, except for Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje, have filed opposition papers. Nevertheless, in order to facilitate careful consideration of the motion for preliminary injunction, the temporary restraining order is hereby extended to 11:59 p.m. on March 8, 2011. (Signed by Judge Lewis A. Kaplan on 2/14/11) (dj) (Entered: 02/14/2011)
02/14/2011	<u>88</u>	ORDER: Proposed new counsel for defendants Camacho Naranjo and Piaguaje Payaguaje have filed a proposed stipulation of substitution and requested, in light of the extension today of the temporary restraining order until March 8, 2011, an adjournment until the week of February 28 of the argument of and any evidentiary hearing with respect to the preliminary injunction motion now scheduled for argument on February 22. In view of the fact that the temporary restraining order now expires on March 8, 2011 and perhaps cannot be extended further except on consent, the effect of granting the proposed adjournment could be to leave the Court with a maximum of six business days following the requested adjourned argument, and perhaps less, within which to reflect on the argument and the record, hold any evidentiary hearing that may be appropriate, and render a considered decision before the TRO expires. The purpose of extending the temporary restraining order was to ease precisely such time pressure. It would be defeated if the proposed adjournment were granted. Thus, while the Court would like to accommodate counsel if possible, the request for an adjournment is denied. This result is all the more important to reach in light of the reported entry of judgment in Ecuador against Chevron. This order is without prejudice to a renewed application provided that all defendants consent to an extension of the TRO for a satisfactory period beyond March 8, 2011 or, alternatively, plaintiff agrees. (Signed by Judge Lewis A. Kaplan on 2/14/2011) (tro) (Entered: 02/14/2011)
02/14/2011	<u>89</u>	NOTICE OF APPEARANCE by Norman H. Siegel on behalf of Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje (Siegel, Norman) (Entered: 02/14/2011)
02/14/2011	<u>113</u>	MOTION for Scott A. Edelman, William E. Thomson and Andrea E. Neuman to Appear Pro Hac Vice. Document filed by Chevron Corporation.(mro) (Entered: 02/16/2011)
02/15/2011	<u>90</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 2/14/2011 re: Requesting permission to file a single reply brief of no more than 35 pages responding to both of these oppositions. ENDORSEMENT: Granted. (Signed by Judge Lewis A. Kaplan on 2/15/2011) (jpo) (Entered: 02/15/2011)
02/15/2011	<u>91</u>	REPLY MEMORANDUM OF LAW in Support re: <u>4</u> Order to Show Cause,,,,. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>92</u>	DECLARATION of Rene Enrique Recalde Mera in Support re: <u>4</u> Order to Show Cause,,,,. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/15/2011)

02/15/2011	<u>93</u>	DECLARATION of Enrique Carvajal Salas in Support re: <u>4</u> Order to Show Cause,,,,. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>94</u>	DECLARATION of Randy M. Mastro in Support re: <u>4</u> Order to Show Cause,,,,. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1)(Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>95</u>	DECLARATION of Cesar Coronel Jones in Support re: <u>4</u> Order to Show Cause,,,,. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>96</u>	DECLARATION of Kirsten Galler in Support re: <u>4</u> Order to Show Cause,,,,. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>97</u>	DECLARATION of Rex J. Mitchell in Support re: <u>4</u> Order to Show Cause,,,,. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1 – Part 1, # <u>2</u> Exhibit 1 – Part 2, # <u>3</u> Exhibit 1 – Part 3, # <u>4</u> Exhibit 1 – Part 4, # <u>5</u> Exhibit 2 – Part 1, # <u>6</u> Exhibit 2 – Part 2, # <u>7</u> Exhibit 2 – Part 3)(Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>98</u>	DECLARATION of Ivan Alberto Racines Enrique in Support re: <u>4</u> Order to Show Cause,,,,. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>99</u>	DECLARATION of Cesar Coronel Jones in Support re: <u>4</u> Order to Show Cause,,,,. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>100</u>	DECLARATION of Maria Gabriela Davila Cueva in Support re: <u>4</u> Order to Show Cause,,,,. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>101</u>	DECLARATION of Pablo Salvador Defina Bucaram in Support re: <u>4</u> Order to Show Cause,,,,. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>102</u>	DECLARATION of Jan Paulsson in Support re: <u>4</u> Order to Show Cause,,,,. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Curriculum Vitae, # <u>2</u> Index to Paulsson Declaration, # <u>3</u> Exhibit 1 – 1, # <u>4</u> Exhibit 1 – 2, # <u>5</u> Exhibit 1 – 3, # <u>6</u> Exhibit 1 – 4, # <u>7</u> Exhibit 1 – 5, Part 1, # <u>8</u> Exhibit 1 – 5, Part 2, # <u>9</u> Exhibit 1 – 5, Part 3, # <u>10</u> Exhibit 1 – 6)(Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>103</u>	DECLARATION of Jan Paulsson in Support re: <u>4</u> Order to Show Cause,,,,. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Index to Paulsson Declaration, # <u>2</u> Exhibit 1 – 7, # <u>3</u> Exhibit 1 – 8, # <u>4</u> Exhibit 1 – 9, # <u>5</u> Exhibit 1 – 10, # <u>6</u> Exhibit 1 – 11, # <u>7</u> Exhibit 1 – 12, Part 1, # <u>8</u> Exhibit 1 – 12, Part 2, # <u>9</u> Exhibit 1 – 12, Part 3, # <u>10</u> Exhibit 1 – 13, # <u>11</u> Exhibit 1 – 14, # <u>12</u> Exhibit 1 – 15, # <u>13</u> Exhibit 1 – 16)(Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>104</u>	DECLARATION of Kristen L. Hendricks in Support re: <u>4</u> Order to Show Cause,,,,. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 114, # <u>2</u> Exhibit 407, # <u>3</u> Exhibit 445, # <u>4</u> Exhibit 453, # <u>5</u> Exhibit 454)(Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>105</u>	DECLARATION of Kristen L. Hendricks in Support re: <u>4</u> Order to Show Cause,,,,. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 465, # <u>2</u> Exhibit 466, Part1, # <u>3</u> Exhibit 466, Part 2, # <u>4</u> Exhibit 466, Part 3, # <u>5</u> Exhibit 466, Part 4, # <u>6</u> Exhibit 467, # <u>7</u> Exhibit 468, # <u>8</u> Exhibit 469, # <u>9</u> Exhibit 470, # <u>10</u> Exhibit 471, # <u>11</u> Exhibit 472, # <u>12</u> Exhibit 473, # <u>13</u> Exhibit 474, Part 1, # <u>14</u> Exhibit 474, Part 2, # <u>15</u> Exhibit 475)(Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>106</u>	DECLARATION of Kristen L. Hendricks in Support re: <u>4</u> Order to Show Cause,,,,. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 476, # <u>2</u> Exhibit 477, # <u>3</u> Exhibit 478, # <u>4</u> Exhibit 479, # <u>5</u> Exhibit 480, # <u>6</u> Exhibit 481, Part 1, # <u>7</u> Exhibit 481, Part 2, # <u>8</u> Exhibit 481, Part 3, # <u>9</u> Exhibit 481, Part 4, # <u>10</u> Exhibit 482, # <u>11</u> Exhibit 483, # <u>12</u> Exhibit 484, # <u>13</u> Exhibit 485, # <u>14</u> Exhibit

		486)(Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>107</u>	DECLARATION of Kristen L. Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 487, # <u>2</u> Exhibit 488, # <u>3</u> Exhibit 489, # <u>4</u> Exhibit 490, # <u>5</u> Exhibit 491, # <u>6</u> Exhibit 492, # <u>7</u> Exhibit 493, # <u>8</u> Exhibit 494, # <u>9</u> Exhibit 495, # <u>10</u> Exhibit 496, # <u>11</u> Exhibit 497, # <u>12</u> Exhibit 498, # <u>13</u> Exhibit 499, # <u>14</u> Exhibit 500, # <u>15</u> Exhibit 501, # <u>16</u> Exhibit 502, # <u>17</u> Exhibit 503, # <u>18</u> Exhibit 504)(Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>108</u>	DECLARATION of Kristen L. Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 505, # <u>2</u> Exhibit 506, Part 1, # <u>3</u> Exhibit 506, Part 2, # <u>4</u> Exhibit 506, Part 3, # <u>5</u> Exhibit 506, Part 4, # <u>6</u> Exhibit 506, Part 5, # <u>7</u> Exhibit 507, # <u>8</u> Exhibit 508, # <u>9</u> Exhibit 509, # <u>10</u> Exhibit 510, # <u>11</u> Exhibit 511, # <u>12</u> Exhibit 512, # <u>13</u> Exhibit 513, # <u>14</u> Exhibit 514)(Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>109</u>	DECLARATION of Kristen L. Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 515, # <u>2</u> Exhibit 516, # <u>3</u> Exhibit 517, # <u>4</u> Exhibit 518, # <u>5</u> Exhibit 519, # <u>6</u> Exhibit 520, Part 1, # <u>7</u> Exhibit 520, Part 2, # <u>8</u> Exhibit 520, Part 3, # <u>9</u> Exhibit 520, Part 4, # <u>10</u> Exhibit 521, # <u>11</u> Exhibit 522, # <u>12</u> Exhibit 523, # <u>13</u> Exhibit 524, # <u>14</u> Exhibit 525)(Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>110</u>	DECLARATION of Kristen L. Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 526, # <u>2</u> Exhibit 527, # <u>3</u> Exhibit 528, # <u>4</u> Exhibit 529, # <u>5</u> Exhibit 530, # <u>6</u> Exhibit 531, # <u>7</u> Exhibit 532, # <u>8</u> Exhibit 533, # <u>9</u> Exhibit 534, # <u>10</u> Exhibit 535, # <u>11</u> Exhibit 536, # <u>12</u> Exhibit 537, # <u>13</u> Exhibit 538, # <u>14</u> Exhibit 539, # <u>15</u> Exhibit 540, # <u>16</u> Exhibit 541, # <u>17</u> Exhibit 542, # <u>18</u> Exhibit 543, # <u>19</u> Exhibit 544, # <u>20</u> Exhibit 545)(Mastro, Randy) (Entered: 02/15/2011)
02/15/2011	<u>111</u>	DECLARATION of Kristen L. Hendricks in Support re: <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 546, # <u>2</u> Exhibit 547, # <u>3</u> Exhibit 548, # <u>4</u> Exhibit 549, # <u>5</u> Exhibit 550, # <u>6</u> Exhibit 551, # <u>7</u> Exhibit 552, # <u>8</u> Exhibit 553, # <u>9</u> Exhibit 554, Part 1, # <u>10</u> Exhibit 554, Part 2, # <u>11</u> Exhibit 555, # <u>12</u> Exhibit 556, # <u>13</u> Exhibit 557, # <u>14</u> Exhibit 558, # <u>15</u> Exhibit 559, # <u>16</u> Exhibit 560, # <u>17</u> Exhibit 561, # <u>18</u> Exhibit 562, # <u>19</u> Exhibit 563)(Mastro, Randy) (Entered: 02/15/2011)
02/16/2011	<u>112</u>	SUBSTITUTION OF COUNSEL that Norman Siegel and Steven J. Hyman be substituted in the place and stead of Orans Elsen Lupert & Brown, LLP as attorneys for Defendants Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje. (Signed by Judge Lewis A. Kaplan on 2/14/11) (cd) (Entered: 02/16/2011)
02/16/2011	<u>114</u>	Letter addressed to Judge Lewis A. Kaplan from John Clopper dated 2/15/11 re: The Department of State doe not have any specific comment at this time regarding plaintiff's pending motion for a preliminary injunction and relations between the US and Ecuador. (cd) (Entered: 02/16/2011)
02/17/2011	<u>115</u>	DECLARATION of Maria Gabriela Davila Cueva in Support re: <u>100</u> Declaration in Support, <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/17/2011)
02/17/2011	<u>116</u>	DECLARATION of Pablo Salvador Defina Bacuram in Support re: <u>101</u> Declaration in Support, <u>4</u> Order to Show Cause,,,, Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/18/2011)
02/18/2011	<u>117</u>	DECLARATION of Kirsten Galler re: <u>1</u> Complaint,,,,, Summons Issued to various defendants. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Mastro, Randy) (Entered: 02/18/2011)
02/18/2011	<u>118</u>	DECLARATION of Elaine K. Kim Regarding Service of Chevron's Reply in Support of the Motion for Preliminary Injunction and Supporting Declarations. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/18/2011)
02/18/2011	<u>119</u>	DECLARATION of Elaine K. Kim Regarding Service of the Order Dated February 8, 2011 on Plaintiff's Motion for Temporary Restraining Order. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/18/2011)



02/18/2011	<u>120</u>	DECLARATION of Jason E. Morrow <i>Regarding Service of Chevron's Reply in Support of Motion for Preliminary Injunction and Supporting Declarations.</i> Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/18/2011)
02/18/2011	<u>121</u>	DECLARATION of Kristen L. Hendricks <i>Regarding Service of Chevron's Reply in Support of Motion for Preliminary Injunction and Supporting Declarations.</i> Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/18/2011)
02/18/2011	<u>122</u>	DECLARATION of Kristen L. Hendricks <i>Regarding Service of the Order dated February 8, 2011 on Plaintiff's Motion for a Temporary Restraining Order.</i> Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/18/2011)
02/18/2011	<u>123</u>	DECLARATION of Kristen L. Hendricks <i>Regarding Service of Order dated February 14, 2011.</i> Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/18/2011)
02/18/2011		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Oral Argument held on 2/18/2011. Expert affidavits are due 2/24/11 before 4pm. Each side may submit one such affidavit. (mro) (Entered: 03/07/2011)
02/23/2011	<u>124</u>	NOTICE OF APPEARANCE by Elliot Remsen Peters on behalf of Steven Donziger, The Law Offices of Steven R. Donziger (Peters, Elliot) (Entered: 02/23/2011)
02/23/2011	<u>125</u>	CERTIFICATE OF SERVICE of CERTIFICATE OF SERVICE on 02/11/11. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Peters, Elliot) (Entered: 02/23/2011)
02/23/2011	<u>126</u>	MEMO ENDORSEMENT ON <u>113</u> Motion for Scott A. Edelman, William E. Thomson and Andrea E. Neuman to Appear Pro Hac Vice. ENDORSEMENT: Granted. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 2/23/2011) (lnl) (Entered: 02/23/2011)
02/24/2011	<u>127</u>	ORDER: Mr. Fajardo' s application, insofar as it is made on behalf of himself, is granted to the extent that his time to answer, move or otherwise respond to the complaint is extended to and including March 1, 2011. The application, insofar as it is brought on his behalf, is denied in all other respects without prejudice to a timely motion for a further extension made on notice to all parties. Insofar as the application is made on behalf of Ecuadorian defendants other than Messrs. Camacho Naranjo and Piaguaje Payaguaje, it is denied without prejudice to a renewed motion made on notice to all parties by duly admitted counselor by the individuals in question pro se. The Court, on its own motion, extends the time of the Ecuadorian defendants other than Messrs. Camacho Naranjo and Piaguaje Payaguaje to answer, moved or otherwise respond to the complaint to and including March 1, 2011. It will consider a further extension in the event a stipulation or proper application seeking one is properly presented. Insofar as the application is made on behalf of Messrs. Camacho Naranjo and Piaguaje Payaguaje, it is denied as moot. Pablo Fajardo Mendoza answer due 3/1/2011. (Signed by Judge Lewis A. Kaplan on 2/24/2011) (tro) (Entered: 02/24/2011)
02/24/2011	<u>128</u>	Letter addressed to Judge Lewis A. Kaplan from Pablo Fajardo Mendoza dated 2/23/2011 re: Mr. Pablo Fajardo Mendoza along with the Ecuadorian defendants, request an extension of time to respond to the complaint. Document filed by Pablo Fajardo Mendoza.(tro) (Entered: 02/24/2011)
02/24/2011	<u>129</u>	STIPULATION AND ORDER: The time for defendants Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje to answer, move against, or otherwise respond to the complaint herein be and hereby is adjourned to 3/16/2011. (Signed by Judge Lewis A. Kaplan on 2/24/2011) (tro) (Entered: 02/24/2011)
02/24/2011	<u>130</u>	NOTICE OF APPEARANCE by Gordon Mehler on behalf of Douglas Beltman, Ann Maest, Stratus Consulting, Inc., Stratus Consulting, Inc. (Mehler, Gordon) (Entered: 02/24/2011)
02/24/2011	<u>131</u>	NOTICE of NOTICE OF FILING. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A)(Peters, Elliot) (Entered: 02/24/2011)

02/24/2011	<u>132</u>	DECLARATION of Alejandro Garro in Opposition re: <u>5</u> Memorandum of Law in Support, <u>4</u> Order to Show Cause,,,,. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A)(Peters, Elliot) (Entered: 02/24/2011)
02/24/2011	<u>133</u>	AFFIDAVIT of Dr. Farith Ricardo Simon in Opposition re: <u>4</u> Order to Show Cause,,,,. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Hyman, Steven) (Entered: 02/24/2011)
02/24/2011	<u>134</u>	AFFIDAVIT of Dr. Cesar Coronel Jones re: <u>4</u> Order to Show Cause,,,, <i>Affidavit of Dr. Cesar Coronel Jones Regarding Appellate Remedies and Judgment Enforcement in Ecuador</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Appendix Cover and Table of Tabs, # <u>2</u> Tabs 1 through 10, # <u>3</u> Tabs 11 through 20, # <u>4</u> Tabs 21 through 27, # <u>5</u> Tab 28, # <u>6</u> Tabs 29 through 34)(Mastro, Randy) (Entered: 02/24/2011)
02/24/2011	<u>135</u>	CERTIFICATE OF SERVICE of Affidavit of Dr. Farith Ricardo Simon in Opposition to Preliminary Injunction served on Chevron Corporation on February 24, 2011. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Hyman, Steven) (Entered: 02/24/2011)
02/24/2011	<u>136</u>	STIPULATION AND ORDER, Steven Donziger answer due 3/16/2011; The Law Offices of Steven R. Donziger answer due 3/16/2011 or Motion due by 3/16/2011, and as further set forth in this document. (Signed by Judge Lewis A. Kaplan on 2/24/11) (cd) (Entered: 02/24/2011)
02/25/2011	<u>137</u>	MEMORANDUM OF LAW in Opposition re: <u>77</u> Order, Set Deadlines/Hearings,,,,,,,,,,,,. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Peters, Elliot) (Entered: 02/25/2011)
02/25/2011	<u>138</u>	DECLARATION of Elliot R. Peters in Support re: <u>137</u> Memorandum of Law in Opposition. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, Part 1, # <u>5</u> Exhibit 4, Part 2, # <u>6</u> Exhibit 4, Part 3, # <u>7</u> Exhibit 4, Part 4, # <u>8</u> Exhibit 5, # <u>9</u> Exhibit 6, # <u>10</u> Exhibit 7, # <u>11</u> Exhibit 8, # <u>12</u> Exhibit 9, # <u>13</u> Exhibit 10, # <u>14</u> Exhibit 11, # <u>15</u> Exhibit 12, # <u>16</u> Exhibit 13)(Peters, Elliot) (Entered: 02/25/2011)
02/25/2011		CASHIERS OFFICE REMARK on <u>113</u> Motion to Appear Pro Hac Vice in the amount of \$75.00, paid on 02/14/2011, Receipt Number 930015. (jd) (Entered: 02/25/2011)
02/25/2011	<u>139</u>	DECLARATION of Elliot R. Peters in Support re: <u>137</u> Memorandum of Law in Opposition. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit 14, Part 1, # <u>2</u> Exhibit 14, Part 2, # <u>3</u> Exhibit 14, Part 3, # <u>4</u> Exhibit 14, Part 4, # <u>5</u> Exhibit 14, Part 5, # <u>6</u> Exhibit 14, Part 6, # <u>7</u> Exhibit 14, Part 7, # <u>8</u> Exhibit 14, Part 8, # <u>9</u> Exhibit 14, Part 9)(Peters, Elliot) (Entered: 02/25/2011)
02/25/2011	<u>140</u>	DECLARATION of Elliot R. Peters in Support re: <u>137</u> Memorandum of Law in Opposition. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit 15, # <u>2</u> Exhibit 16, # <u>3</u> Exhibit 17, # <u>4</u> Exhibit 18, # <u>5</u> Exhibit 19, # <u>6</u> Exhibit 20, # <u>7</u> Exhibit 21, # <u>8</u> Exhibit 22, Part 1, # <u>9</u> Exhibit 22, Part 2, # <u>10</u> Exhibit 22, Part 3, # <u>11</u> Exhibit 22, Part 4, # <u>12</u> Exhibit 22, Part 5, # <u>13</u> Exhibit 22, Part 6, # <u>14</u> Exhibit 23, # <u>15</u> Exhibit 24, # <u>16</u> Exhibit 25)(Peters, Elliot) (Entered: 02/25/2011)
02/25/2011	<u>141</u>	DECLARATION of Elliot R. Peters in Support re: <u>137</u> Memorandum of Law in Opposition. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit 26, Part 1, # <u>2</u> Exhibit 26, Part 2, # <u>3</u> Exhibit 26, Part 3, # <u>4</u> Exhibit 26, Part 4, # <u>5</u> Exhibit 27, Part 1, # <u>6</u> Exhibit 27, Part 2, # <u>7</u> Exhibit 27, Part 3, # <u>8</u> Exhibit 27, Part 4, # <u>9</u> Exhibit 28, Part 1, # <u>10</u> Exhibit 28, Part 2, # <u>11</u> Exhibit 28, Part 3, # <u>12</u> Exhibit 28, Part 4, # <u>13</u> Exhibit 28, Part 5)(Peters, Elliot) (Entered: 02/25/2011)
02/25/2011	<u>142</u>	DECLARATION of Elliot R. Peters in Support re: <u>137</u> Memorandum of Law in Opposition. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit 29, # <u>2</u> Exhibit 30, # <u>3</u> Exhibit 31, # <u>4</u> Exhibit

		32, # <u>5</u> Exhibit 33)(Peters, Elliot) (Entered: 02/25/2011)
02/27/2011	<u>143</u>	NOTICE OF APPEARANCE by Julio Cesar Gomez on behalf of Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje (Gomez, Julio) (Entered: 02/27/2011)
02/27/2011	<u>144</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION to Increase Bond Amount (On Short Notice). Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Proposed Order, # <u>3</u> Certificate of Service)(Gomez, Julio) Modified on 2/28/2011 (ka). (Entered: 02/27/2011)
02/27/2011	<u>145</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Juan Pablo Saenz M. in Support re: <u>144</u> MOTION to Increase Bond Amount (On Short Notice). Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15 (Part 1), # <u>16</u> Exhibit 15 (Part 2), # <u>17</u> Exhibit 15 (Part 3), # <u>18</u> Exhibit 15 (Part 4), # <u>19</u> Exhibit 16, # <u>20</u> Exhibit 17, # <u>21</u> Exhibit 18, # <u>22</u> Exhibit 19, # <u>23</u> Exhibit 20, # <u>24</u> Exhibit 21, # <u>25</u> Exhibit 22, # <u>26</u> Exhibit 23, # <u>27</u> Exhibit 24, # <u>28</u> Exhibit 25, # <u>29</u> Exhibit 26, # <u>30</u> Exhibit 27, # <u>31</u> Exhibit 28, # <u>32</u> Exhibit 29, # <u>33</u> Exhibit 30, # <u>34</u> Exhibit 31, # <u>35</u> Exhibit 32)(Gomez, Julio) Modified on 2/28/2011 (ka). (Entered: 02/28/2011)
02/28/2011	<u>146</u>	FILING ERROR – ELECTRONIC FILING FOR NON-ECF DOCUMENT(EXHIBITS) – DECLARATION of Juan Pablo Saenz M. in Support re: <u>144</u> MOTION to Increase Bond Amount ( <i>On Short Notice</i> ).. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 33, # <u>2</u> Exhibit 34, # <u>3</u> Exhibit 35, # <u>4</u> Exhibit 36, # <u>5</u> Exhibit 37, # <u>6</u> Exhibit 38, # <u>7</u> Exhibit 39, # <u>8</u> Exhibit 40, # <u>9</u> Exhibit 41, # <u>10</u> Exhibit 42, # <u>11</u> Exhibit 43, # <u>12</u> Exhibit 44, # <u>13</u> Exhibit 45, # <u>14</u> Exhibit 46, # <u>15</u> Exhibit 47, # <u>16</u> Exhibit 48, # <u>17</u> Exhibit 49, # <u>18</u> Exhibit 50, # <u>19</u> Exhibit 51, # <u>20</u> Exhibit 52, # <u>21</u> Exhibit 53, # <u>22</u> Exhibit 54)(Gomez, Julio) Modified on 2/28/2011 (ka). (Entered: 02/28/2011)
02/28/2011	<u>147</u>	FILING ERROR – ELECTRONIC FILING FOR NON-ECF DOCUMENT(EXHIBITS) – DECLARATION of Juan Pablo Saenz M. in Support re: <u>144</u> MOTION to Increase Bond Amount ( <i>On Short Notice</i> ).. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 55, # <u>2</u> Exhibit 56, # <u>3</u> Exhibit 57, # <u>4</u> Exhibit 58, # <u>5</u> Exhibit 59, # <u>6</u> Exhibit 60, # <u>7</u> Exhibit 61, # <u>8</u> Exhibit 62, # <u>9</u> Exhibit 63, # <u>10</u> Exhibit 64, # <u>11</u> Exhibit 65, # <u>12</u> Exhibit 66, # <u>13</u> Exhibit 67, # <u>14</u> Exhibit 68, # <u>15</u> Exhibit 69, # <u>16</u> Exhibit 70, # <u>17</u> Exhibit 71 (Part 1), # <u>18</u> Exhibit 71 (Part 2), # <u>19</u> Exhibit 71 (Part 3), # <u>20</u> Exhibit 71 (Part 4))(Gomez, Julio) Modified on 2/28/2011 (ka). (Entered: 02/28/2011)
02/28/2011	<u>148</u>	FILING ERROR – ELECTRONIC FILING FOR NON-ECF DOCUMENT(EXHIBITS) – DECLARATION of Juan Pablo Saenz M. in Support re: <u>144</u> MOTION to Increase Bond Amount ( <i>On Short Notice</i> ).. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 71 (Part 5), # <u>2</u> Exhibit 71 (Part 6), # <u>3</u> Exhibit 71 (Part 7), # <u>4</u> Exhibit 71 (Part 8), # <u>5</u> Exhibit 71 (Part 9), # <u>6</u> Exhibit 71 (Part 10), # <u>7</u> Exhibit 71 (Part 11), # <u>8</u> Exhibit 72, # <u>9</u> Exhibit 73)(Gomez, Julio) Modified on 2/28/2011 (ka). (Entered: 02/28/2011)
02/28/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Julio Cesar Gomez to RE-FILE Document <u>144</u> MOTION to Increase Bond Amount (On Short Notice). MOTION to Increase Bond Amount (On Short Notice). ERROR(S): Filing Error of Attachments. Supporting Memorandum must be filed individually. Event code located under Replies, Opposition and Supporting Documents. ***NOTE: Email pdf of Proposed Order to judgments@nysd.uscourts.gov. (ka) (Entered: 02/28/2011)

02/28/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Julio Cesar Gomez to RE-FILE Document <u>145</u> Declaration in Support of Motion. ERROR(S): Link to incorrect filing of document#144. (ka) (Entered: 02/28/2011)
02/28/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – NON-ECF DOCUMENT ERROR. Note to Attorney FILING ERROR – ELECTRONIC FILING FOR NON-ECF DOCUMENT(EXHIBITS) – to MANUALLY RE-FILE Document No. <u>146</u> Exhibits. This document is not filed via ECF. (ka) (Entered: 02/28/2011)
02/28/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – NON-ECF DOCUMENT ERROR. Note to Attorney Julio Cesar Gomez to MANUALLY RE-FILE Document No. <u>147</u> Exhibits. This document is not filed via ECF. (ka) (Entered: 02/28/2011)
02/28/2011	<u>149</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MEMORANDUM OF LAW in Support re: <u>144</u> MOTION to Increase Bond Amount (On Short Notice). MOTION to Increase Bond Amount (On Short Notice). Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) Modified on 2/28/2011 (ka). (Entered: 02/28/2011)
02/28/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – NON-ECF DOCUMENT ERROR. Note to Attorney Julio Cesar Gomez to MANUALLY RE-FILE Document No. <u>148</u> Exhibits. This document is not filed via ECF. (ka) (Entered: 02/28/2011)
02/28/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Julio Cesar Gomez to RE-FILE Document <u>149</u> Memorandum of Law in Support of Motion. ERROR(S): Link to incorrect filing of document#144.***NOTE: Refile Motion(doc.#144 first and then refile supporting memorandum(doc.#149) and link to refiled motion). (ka) (Entered: 02/28/2011)
02/28/2011	<u>150</u>	MOTION Increase the Bond (on Short Notice). Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Certificate of Service)(Gomez, Julio) (Entered: 02/28/2011)
02/28/2011	<u>151</u>	MEMORANDUM OF LAW in Support re: <u>150</u> MOTION Increase the Bond (on Short Notice).. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) (Entered: 02/28/2011)
02/28/2011	<u>152</u>	DECLARATION of Juan Pablo Saenz M. in Support re: <u>150</u> MOTION Increase the Bond (on Short Notice).. Document filed by Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit Ex. 1, # <u>2</u> Exhibit Ex. 2, # <u>3</u> Exhibit Ex. 3, # <u>4</u> Exhibit Ex. 4, # <u>5</u> Exhibit Ex. 5, # <u>6</u> Exhibit Ex. 6, # <u>7</u> Exhibit Ex. 7, # <u>8</u> Exhibit Ex. 8, # <u>9</u> Exhibit Ex. 9, # <u>10</u> Exhibit Ex. 10, # <u>11</u> Exhibit Ex. 11, # <u>12</u> Exhibit Ex. 12, # <u>13</u> Exhibit Ex. 13, # <u>14</u> Exhibit Ex. 14, # <u>15</u> Exhibit Ex. 15 –part 1, # <u>16</u> Exhibit Ex. 15– part 2, # <u>17</u> Exhibit Ex. 15–part 3, # <u>18</u> Exhibit Ex. 15 – part 4, # <u>19</u> Exhibit Ex. 16, # <u>20</u> Exhibit Ex. 17, # <u>21</u> Exhibit Ex. 18, # <u>22</u> Exhibit Ex. 19, # <u>23</u> Exhibit Ex. 20, # <u>24</u> Exhibit Ex. 21, # <u>25</u> Exhibit Ex. 22, # <u>26</u> Exhibit Ex. 23, # <u>27</u> Exhibit Ex. 24, # <u>28</u> Exhibit Ex. 25, # <u>29</u> Exhibit Ex. 26, # <u>30</u> Exhibit Ex. 27, # <u>31</u> Exhibit Ex. 28, # <u>32</u> Exhibit Ex. 29, # <u>33</u> Exhibit Ex. 30, # <u>34</u> Exhibit Ex. 31, # <u>35</u> Exhibit Ex. 32)(Gomez, Julio) (Entered: 02/28/2011)
02/28/2011	<u>153</u>	DECLARATION of Juan Pablo Saenz M. in Support re: <u>150</u> MOTION Increase the Bond (on Short Notice).. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit Ex. 33, # <u>2</u> Exhibit Ex. 34, # <u>3</u> Exhibit Ex. 35, # <u>4</u> Exhibit Ex. 36, # <u>5</u> Exhibit Ex. 37, # <u>6</u> Exhibit Ex. 38, # <u>7</u> Exhibit Ex. 39, # <u>8</u> Exhibit Ex. 40, # <u>9</u> Exhibit Ex. 41, # <u>10</u> Exhibit Ex. 42, # <u>11</u> Exhibit Ex. 43, # <u>12</u> Exhibit Ex. 44, # <u>13</u> Exhibit Ex. 45, # <u>14</u> Exhibit Ex. 46, # <u>15</u> Exhibit Ex. 47, # <u>16</u> Exhibit Ex. 48, # <u>17</u> Exhibit Ex. 49, # <u>18</u> Exhibit Ex. 50, # <u>19</u> Exhibit Ex. 51, # <u>20</u> Errata Ex. 52, # <u>21</u> Exhibit Ex. 53, # <u>22</u> Exhibit Ex. 54)(Gomez, Julio) (Entered: 02/28/2011)
02/28/2011	<u>154</u>	DECLARATION of Juan Pablo Saenz M. in Support re: <u>150</u> MOTION Increase the Bond (on Short Notice).. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit Ex. 55, # <u>2</u> Exhibit Ex. 56, #



		<u>3</u> Exhibit Ex. 57, # <u>4</u> Exhibit Ex. 58, # <u>5</u> Exhibit Ex. 59, # <u>6</u> Exhibit Ex. 60, # <u>7</u> Exhibit Ex. 61, # <u>8</u> Exhibit Ex. 62, # <u>9</u> Exhibit Ex. 63, # <u>10</u> Exhibit Ex. 64, # <u>11</u> Exhibit Ex. 65, # <u>12</u> Exhibit Ex. 66, # <u>13</u> Exhibit Ex. 67, # <u>14</u> Exhibit Ex. 68, # <u>15</u> Exhibit Ex. 69, # <u>16</u> Exhibit Ex. 70, # <u>17</u> Exhibit Ex. 71 –part 1, # <u>18</u> Exhibit Ex. 71 –part 2, # <u>19</u> Exhibit Ex. 71– part 3, # <u>20</u> Exhibit Ex. 71 – part 4)(Gomez, Julio) (Entered: 02/28/2011)
02/28/2011	<u>155</u>	DECLARATION of Juan Pablo Saenz M. in Support re: <u>150</u> MOTION Increase the Bond (on Short Notice).. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit Ex. 71–part 5, # <u>2</u> Exhibit Ex. 71–part 6, # <u>3</u> Exhibit Ex. 71–part 7, # <u>4</u> Exhibit Ex. 71–part 8, # <u>5</u> Exhibit Ex. 71– part 9, # <u>6</u> Exhibit Ex. 71–part 10, # <u>7</u> Exhibit Ex. 71–part 11, # <u>8</u> Exhibit Ex. 72, # <u>9</u> Exhibit Ex. 73)(Gomez, Julio) (Entered: 02/28/2011)
02/28/2011	<u>156</u>	NOTICE of Substitution of Attorney. Old Attorney: Norman Siegel and Steven Hyman, New Attorney: Julio C. Gomez, Address: Gomez LLC, Attorney at Law, The Trump Building, 40 Wall Street, 28th Floor, New York, New York, US 10005, 212-400-7150. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Certificate of Service)(Gomez, Julio) (Entered: 02/28/2011)
02/28/2011	<u>157</u>	STIPULATION AND ORDER: It is hereby stipulated and agreed by and between the parties that the time of defendants Stratus Consulting, Inc., Douglas Beltman, and Ann Maest to answer, move against, or otherwise respond to the complaint is hereby adjourned to March 16, 2011. (Signed by Judge Lewis A. Kaplan on 2/28/2011) (jpo) (Entered: 02/28/2011)
02/28/2011	<u>158</u>	Letter addressed to Judge Lewis A. Kaplan from Steven R. Donziger dated 2/8/2011 re: I write with respect to the above referenced matter to address issues of considerable urgency. (jpo) (Entered: 02/28/2011)
02/28/2011	<u>159</u>	NOTICE of Application for Transfer of Case as Related to Aguinda, et al. v. Texaco, et al., 93–CV–07527 JSR, Pursuant to Rule 15 of the Division of Business Among District Judges, Southern District. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Peters, Elliot) (Entered: 02/28/2011)
02/28/2011	<u>160</u>	MOTION to Transfer Case – <i>Application for Transfer of Case as Related to Aguinda, et al. v. Texaco, et al., 93–CV–07527 JSR, Pursuant to Rule 15 of the Division of Business Among District Judges, Southern District.</i> Document filed by Steven Donziger, The Law Offices of Steven R. Donziger.(Peters, Elliot) (Entered: 02/28/2011)
02/28/2011	<u>161</u>	DECLARATION of Elliot R. Peters in Support re: <u>160</u> MOTION to Transfer Case – <i>Application for Transfer of Case as Related to Aguinda, et al. v. Texaco, et al., 93–CV–07527 JSR, Pursuant to Rule 15 of the Division of Business Among District Judges, Southern District.</i> Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, Part 1, # <u>4</u> Exhibit C, Part 2, # <u>5</u> Exhibit C, Part 3, # <u>6</u> Exhibit C, Part 4, # <u>7</u> Exhibit C, Part 5, # <u>8</u> Exhibit D, # <u>9</u> Exhibit E, # <u>10</u> Exhibit F, # <u>11</u> Exhibit G, # <u>12</u> Exhibit H, # <u>13</u> Exhibit I, # <u>14</u> Exhibit J, # <u>15</u> Exhibit K, # <u>16</u> Exhibit L, # <u>17</u> Exhibit M)(Peters, Elliot) (Entered: 02/28/2011)
02/28/2011	<u>162</u>	CERTIFICATE OF SERVICE of Affidavit of Dr. Cesar Coronel Jones and three (3) letters to Honorable Lewis A. Kaplan, dated February 24, 2011 served on Defendants and Co–Conspirators on 02/24/2011. Service was made by ECF Notification, overnight mail, by hand, Electronic Mail. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/28/2011)
02/28/2011	<u>163</u>	CERTIFICATE OF SERVICE of Affidavit of Dr. Cesar Coronel Jones and three (3) letters to Honorable Lewis A. Kaplan, dated February 24, 2011 served on Defendants and Co–Conspirators on 02/24/2011. Service was made by Overnight Mail, By Hand, Electronic Mail, Regular Mail. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/28/2011)
02/28/2011	<u>166</u>	MOTION for John W. Kecker to Appear Pro Hac Vice. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger.(mbe) (Entered: 03/01/2011)

03/01/2011	<u>164</u>	TRANSCRIPT of proceedings held on 2/18/2011 before Judge Lewis A. Kaplan. (mbe) (Entered: 03/01/2011)
03/01/2011	<u>165</u>	TRANSCRIPT of proceedings held on 2/8/2011 before Judge Lewis A. Kaplan. (mbe) (Entered: 03/01/2011)
03/01/2011	<u>190</u>	MOTION for Carlos A Zelaya, II to Appear Pro Hac Vice. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(mro) (Entered: 03/09/2011)
03/01/2011	<u>197</u>	MOTION for Jan Nielsen Little to Appear Pro Hac Vice. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger,mbe) Modified on 3/11/2011 (mbe). (Entered: 03/11/2011)
03/02/2011	<u>167</u>	NOTICE of Joinder in Defendant Steven Donziger's Application for Transfer of Case as Related to Aguinda, et al., 93 cv 07527 JSR, Pursuant to Rule 15 of the Division of Business Among District Judges, Southern District. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) (Entered: 03/02/2011)
03/02/2011	<u>171</u>	MOTION for Martin D. Beier, Joe L. Silver and Jessica R. Torbin to Appear Pro Hac Vice. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc., Stratus Consulting, Inc..(mbe) (Entered: 03/04/2011)
03/03/2011	<u>168</u>	LETTER: addressed to Judge Lewis A. Kaplan from The Law Firm of Gibson Dunn dated 2/24/2011 re: As Your Honor requested at the preliminary injunction hearing, enclosed please find two copies of the certified translation of the 188-page Lago Agrio judgment. It awards approximately \$18.2 billion in total damages. The Lago Agrio court imposes \$8.646 billion in damages for "reparation measures" derived from the following categories \$600 million for groundwater remediation (p. 179). \$5.396 billion for soil remediation (p.181); \$200 million to implement a potable water system in the allegedly affected areas (p. 183); \$1.4 billion to establish a healthcare system to serve the general population of the allegedly affected communities (p. 183); \$800 million for "a plan of health," including potential cancer treatment (p. 184); and \$100 million to rebuild ethnic communities and indigenous culture (pp. 183-184). All other provisions as further set forth in this order. So Ordered. Document filed by Chevron Corporation.(js) (ae). (Entered: 03/03/2011)
03/03/2011	<u>169</u>	LETTER: addressed to Judge Lewis A. Kaplan from Steven Hyman dated 2/23/2011 re: Counsel represents defendants Hugo Gerado Camacho Naranjo and Javier Piaguaje Payaguaje. This responds to Your Honor's inquiry at the hearing on February 18, 2011, as to whether we will consent to a severance and trial of the declaratory judgment cause of action in the Complaint. This is to advise Your Honor, respectfully, that we will not consent to such a severance and trial.(js) (Entered: 03/03/2011)
03/04/2011	<u>170</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Randy Mastro dated 2/24/11 re: Request to deliver to the Clerk copies of the listed exhibits, which are CD or DVD discs and could not electronically filed. ENDORSEMENT: Granted. (Signed by Judge Lewis A. Kaplan on 3/4/11) (cd) (Entered: 03/04/2011)
03/04/2011	<u>172</u>	MOTION for Leave to File Supplemental Opposition to Chevron Corporation's Motion for Preliminary Injunction. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(Gomez, Julio) (Entered: 03/04/2011)
03/04/2011	<u>177</u>	CERTIFICATE OF SERVICE of Notice of Motion on Short Notice of Defs Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje Seeking Leave of Court to File Supplemental Opposition to Chevron Corp.'s Motion for Preliminary Injunction; Supp. Memorandum of Law for which leave is sought to file; and Declaration of Julio C. Gomez served on ALL Counsel of Record on 3/4/2011. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) (Entered: 03/04/2011)
03/04/2011		***DELETED DOCUMENT. Deleted document number 173 SUPPLEMENTAL MEMORANDUM OF LAW in Opposition re: 172 MOTION. The document is deleted in regards to docket entry No. 187. (jfe) (Entered: 03/09/2011)

03/04/2011		***DELETED DOCUMENT. Deleted document number 174 DECLARATION of Julio C. Gomez in Support re: 172 MOTION. The document is deleted in regards to docket entry No. 187. (jfe) (Entered: 03/09/2011)
03/04/2011		***DELETED DOCUMENT. Deleted document number 175 DECLARATION of Julio C. Gomez in Support re: 172 MOTION. The document is deleted in regards to docket entry No. 187. (jfe) (Entered: 03/09/2011)
03/04/2011		***DELETED DOCUMENT. Deleted document number 176 DECLARATION of Julio C. Gomez in Support re: 172 MOTION. The document is deleted in regards to docket entry No. 187. (jfe) (Entered: 03/09/2011)
03/05/2011	<u>178</u>	MEMORANDUM OF LAW in Opposition re: <u>166</u> MOTION for John W. Kecker to Appear Pro Hac Vice.. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/05/2011)
03/05/2011	<u>179</u>	DECLARATION of Kristen L. Hendricks in Opposition re: <u>166</u> MOTION for John W. Kecker to Appear Pro Hac Vice.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17)(Mastro, Randy) (Entered: 03/05/2011)
03/07/2011	<u>180</u>	LETTER: addressed to Judge Lewis A. Kaplan from John W. Kecker dated 2/17/2011 re: Counsel for defendant requests that the Preliminary Injunction hearing(s) be continued 60 days. Mr. Donziger is willing to stipulate to the TRO being extended to cover that time period. Counsel has asked opposing counsel for Chevron to agree to such a continuance, and they have declined, on the grounds that all defendants (whom we do not represent) must consent too. While failure to grant such a continuance would be prejudicial to Mr. Donziger, granting this continuance as to Mr. Donziger, with the present TRO in place, preserves the status quo and visits no harm whatever on Chevron. (js) (Entered: 03/07/2011)
03/07/2011	<u>181</u>	OPINION #100038 granting in part and denying in part motion for preliminary injunction. (re: DI 4 Order to Show Cause) (Signed by Judge Lewis A. Kaplan on 3/7/2011) (jar) Modified on 3/16/2011 (ajc). (Entered: 03/07/2011)
03/07/2011	<u>182</u>	MEMORANDUM AND ORDER denying <u>160</u> Motion to Transfer Case. The motion to transfer this case [DI 160] is denied. (Signed by Judge Lewis A. Kaplan on 3/7/2011) (jar) (Entered: 03/07/2011)
03/07/2011	<u>183</u>	ORDER denying <u>172</u> Motion for Leave to File Document. The motion for leave to supplement the record [DI 172] is denied. (Signed by Judge Lewis A. Kaplan on 3/7/2011) (jar) (Entered: 03/07/2011)
03/08/2011	<u>184</u>	Letter addressed to Judge Lewis A. Kaplan from Julio C. Gomez dated 3/7/2011 re: Counsel respectfully request that Your Honor seal Dockets 173, 174, 175 and 176. (jfe) (Entered: 03/08/2011)
03/08/2011	<u>185</u>	Letter addressed to Judge Lewis A. Kaplan from Michael W. Anderson dated 3/7/2011 re: Counsel respectfully ask the Court to Order that the Gomez declaration and the attached documents be placed under seal, or otherwise stricken from the docket. (jfe) (Entered: 03/08/2011)
03/08/2011	<u>186</u>	LETTER TRANSMITTING COPY OF MARCH 4, 2011 RULING OF ECUADORIAN COURT: addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 3/7/2011 re: Counsel writes to inform Your Honor that this past Friday, March 4, the Lago Agrio court in Ecuador denied Chevron's February 17 motion seeking clarification and amplification of the judgment in Maria Aguinda y Otros v. Chevron Corporation, No. 002-2003.(jfe) (Entered: 03/08/2011)
03/08/2011	<u>187</u>	ORDER: Accordingly, the Clerk shall print out copies of DI 173 through 176, file those copies under seal, and delete the corresponding electronic versions from the CM/ECF system as promptly as possible. (Signed by Judge Lewis A. Kaplan on 3/8/2011) (jfe) (Entered: 03/08/2011)
03/08/2011		Transmission to Sealed Records Clerk. Transmitted re: <u>187</u> Order,, to the Sealed Records Clerk for the sealing or unsealing of document or case. (jfe) (Entered: 03/08/2011)

		03/08/2011)
03/08/2011	<u>188</u>	MEMO ENDORSEMENT re: <u>150</u> Motion to Increase the Bond (on Short Notice). ENDORSEMENT: The motion is denied as moot. So ordered. (Signed by Judge Lewis A. Kaplan on 3/8/2011) (mro) Modified on 3/9/2011 (mro). (Entered: 03/08/2011)
03/08/2011	<u>189</u>	REPLY MEMORANDUM OF LAW in Support re: <u>166</u> MOTION for John W. Keker to Appear Pro Hac Vice.. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Peters, Elliot) (Entered: 03/08/2011)
03/09/2011	<u>191</u>	SEALED DOCUMENT placed in vault.(mps) (Entered: 03/09/2011)
03/09/2011	<u>192</u>	ORDER. Granting <u>166</u> Motion for John W. Keker to Appear Pro Hac Vice. (Signed by Judge Lewis A. Kaplan on 3/9/11) (rjm) (Entered: 03/09/2011)
03/09/2011	<u>193</u>	ORDER. The Court is in receipt of letters, both dated March 8, 2011, from counsel to Chevron and Donziger requesting that the Court schedule a discovery conference. Donziger's counsel requests sufficient lead time to permit them to travel in order to attend. The Court will conduct such a conference in Courtroom 12D at 4:30 p.m. on March 15, 2011, and as further set forth. (Discovery Conference set for 3/15/2011 at 04:30 PM in Courtroom 12D, 500 Pearl Street, New York, NY 10007 before Judge Lewis A. Kaplan.) (Signed by Judge Lewis A. Kaplan on 3/9/11) (rjm) Modified on 3/9/2011 (rjm). (Entered: 03/09/2011)
03/09/2011	<u>194</u>	MEMO ENDORSEMENT Re: NOTICE OF MOTION TO ADMIT COUNSEL PRO HAC VICE. ENDORSEMENT: Granted. So ordered. Granting <u>171</u> Motion for Martin D. Beier, Joe L. Silver and Jessica R. Torbin to Appear Pro Hac Vice. (Signed by Judge Lewis A. Kaplan on 3/9/11) (rjm) (Entered: 03/09/2011)
03/10/2011	<u>195</u>	ORDER: The opinion issued on March 7, 2011 [DI <u>181</u> ], in this matter is corrected in the following manner: 1. Footnote 338, on page 91, is replaced with "Id. at 439-40." 2. The semicolon at the end of footnote 381, on page 104, is replaced with a period. 3. In the final sentence of the second paragraph on page 121, the word "they" is inserted in front of the word "made." SO ORDERED. (Signed by Judge Lewis A. Kaplan on 3/10/2011) (lnl) (Entered: 03/10/2011)
03/10/2011	<u>196</u>	MEMO ENDORSEMENT ON <u>190</u> Motion for Carlos A. Zelaya, II to Appear Pro Hac Vice. ENDORSEMENT: Granted. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 3/10/2011) (lnl) (Entered: 03/10/2011)
03/11/2011		CASHIERS OFFICE REMARK on <u>166</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 02/28/2011, Receipt Number 930696. (jd) (Entered: 03/11/2011)
03/11/2011		CASHIERS OFFICE REMARK on <u>190</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 03/01/2011, Receipt Number 930832. (jd) (Entered: 03/11/2011)
03/11/2011		CASHIERS OFFICE REMARK on <u>197</u> Motion to Appear Pro Hac Vice,,,,,, in the amount of \$25.00, paid on 03/01/2011, Receipt Number 930784. (jd) (Entered: 03/11/2011)
03/11/2011		CASHIERS OFFICE REMARK on <u>171</u> Motion to Appear Pro Hac Vice in the amount of \$75.00, paid on 03/02/2011, Receipt Number 930903. (jd) (Entered: 03/11/2011)
03/11/2011	<u>198</u>	Preliminary Injunction BOND # 6729431 in the amount of \$ 21,800,000.00 posted by Chevron Corporation. (ml) (Entered: 03/11/2011)
03/11/2011	<u>199</u>	ORDER TO SHOW CAUSE WHY THE DECLARATORY JUDGMENT CLAIM SHOULD NOT BE BIFURCATED IN WHOLE OR IN PART Chevron shall serve counsel for Defendants, who have appeared in this action with the Memorandum of Law and Declaration of Kristen L. Hendricks in Support of its Motion and this Order, on or before 4:00 on 3/11/11. Defendants must show cause before this Court on 3/22/11 why an order should not be made to bifurcate for expedited discovery and trial within six months or less Chevron's Ninth Claim for Relief (its Declaratory Judgment claim), in whole or in part, and to stay resolution



		of Chevron's other claims and any related discovery, pending resolution of Chevron's Declaratory Judgment Claim; and it is further ordered that the motion will be taken on submission without the need for any argument in open court unless otherwise ordered. Show Cause Response due by 3/18/2011. (Signed by Judge Lewis A. Kaplan on 3/11/11) (cd) (Entered: 03/11/2011)
03/11/2011	<u>200</u>	MEMORANDUM OF LAW in Support re: <u>199</u> Order to Show Cause,,, <i>WHY THE DECLARATORY JUDGMENT CLAIM SHOULD NOT BE BIFURCATED IN WHOLE OR IN PART</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/11/2011)
03/11/2011	<u>201</u>	DECLARATION of Kristen L. Hendricks in Support re: <u>199</u> Order to Show Cause,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Mastro, Randy) (Entered: 03/11/2011)
03/11/2011	<u>202</u>	CERTIFICATE OF SERVICE of ORDER TO SHOW CAUSE WHY THE DECLARATORY JUDGMENT CLAIM SHOULD NOT BE BIFURCATED IN WHOLE OR IN PART, MEMORANDUM OF LAW INSUPPORT AND DECLARATION OF KRISTEN L. HENDRICKS IN SUPPORT served on Counsel for Defendants that have appeared on 03/11/2011. Service was made by via Electronic Mail. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/11/2011)
03/11/2011	<u>203</u>	CERTIFICATE OF SERVICE of Order Granting Chevron's Motion for Preliminary Injunction served on Defendants and Co-Conspirators on 03/08/2011. Service was made by Electronic Mail, By Hand, Overnight Mail and Express Mail. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Service Declaration)(Mastro, Randy) (Entered: 03/11/2011)
03/11/2011	<u>204</u>	CERTIFICATE OF SERVICE of Opposition to the Motion to Admit John W. Kecker pro hac vice and the Declaration of Kristen L. Hendricks in Support of the Opposition served on Defendants and Co-Conspirators on 03/05/2011 and 03/07/2011. Service was made by ECF Notice, Electronic Mail, By Hand, Overnight Mail and Express Mail. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Service Declaration)(Mastro, Randy) (Entered: 03/11/2011)
03/11/2011	<u>205</u>	NOTICE of of Entry of Default against Defendants Pablo Fajardo Mendoza, Luis Yanza, Frente de Defensa de la Amazonia a/k/a Amazon Defense Front, Selva Viva Selviva Cia, Ltda., and the 45 defaulting Lago Agrio Plaintiffs. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/11/2011)
03/11/2011	<u>206</u>	DECLARATION of Kristen L. Hendricks in Support re: <u>205</u> Notice (Other), Notice (Other). Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1 – Part 1, # <u>2</u> Exhibit 1 – Part 2, # <u>3</u> Exhibit 1 – Part 3, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9, # <u>12</u> Exhibit 10, # <u>13</u> Exhibit 11, # <u>14</u> Exhibit 12, # <u>15</u> Exhibit 13, # <u>16</u> Exhibit 14, # <u>17</u> Exhibit 15, # <u>18</u> Exhibit 16)(Mastro, Randy) (Entered: 03/11/2011)
03/11/2011		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Pre-Motion Conference held on 3/11/2011. Judge's Decision: See docket item No. 199. Exparte application with plaintiff's counsel only present. (mro) (Entered: 03/16/2011)
03/11/2011	<u>217</u>	MOTION for Paula L. Blizzard, Matthew M. Werdegar, William S. Hicks, Christopher J. Young, and Nikki H. Vo to Appear Pro Hac Vice. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger.(mro) (Entered: 03/18/2011)
03/11/2011	<u>469</u>	CLERK'S CERTIFICATE OF DEFAULT as to Fajardo, Yanza, the Frente, SelvaViva, and the 45 defaulting Lago Agrio Plaintiffs. (ml) (Entered: 05/14/2012)
03/14/2011	<u>207</u>	NOTICE OF APPEARANCE by Martin Beier on behalf of Douglas Beltman, Ann Maest, Stratus Consulting, Inc. (Beier, Martin) (Entered: 03/14/2011)
03/14/2011	<u>208</u>	NOTICE OF APPEARANCE by Jessica R. Torbin on behalf of Douglas Beltman, Ann Maest, Stratus Consulting, Inc. (Torbin, Jessica) (Entered: 03/14/2011)

03/14/2011	<u>209</u>	SUBSTITUTION OF COUNSEL: We the undersigned, hereby consent and agree that Julio C. Gomez, Esq. of GOMEZ LLC Attorney At Law, located at 40 Wall Street, 28th Floor, New York, NY 10005 and Carlos A. Zelaya, II, Esq. (pro hac vice forthcoming) of F. Gerald Maples, PA, 365 Canal Street, Suite 2650, New Orleans, LA 70130 be substituted in the place of the undersigned, Norman Siegel, Esq. and Steven Hyman, Esq. (Signed by Judge Lewis A. Kaplan on 3/14/2011) (jpo) (Entered: 03/14/2011)
03/14/2011	<u>210</u>	MEMO ENDORSEMENT on <u>197</u> Motion for Jan Nielsen Little to Appear Pro Hac Vice. ENDORSEMENT: Granted. So Ordered. (Signed by Judge Lewis A. Kaplan on 3/14/2011) (jpo) (Entered: 03/14/2011)
03/14/2011	<u>211</u>	FILING ERROR – ELECTRONIC FILING FOR NON–ECF DOCUMENT – NOTICE of Filing Of Stipulation And Order. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc. (Attachments: # <u>1</u> Stipulation And Proposed Order)(Mehler, Gordon) Modified on 3/16/2011 (db). (Entered: 03/14/2011)
03/14/2011		***NOTE TO ATTORNEY TO RE–FILE DOCUMENT – NON–ECF DOCUMENT ERROR. Note to Attorney Gordon Mehler to E–MAIL Document No. <u>211</u> Stipulation to judgments@nysd.uscourts.gov. This document is not filed via ECF. (db) (Entered: 03/16/2011)
03/14/2011		***DELETED DOCUMENT. Deleted document number <u>214</u> Order. The document was incorrectly filed in this case. (tro) (Entered: 03/17/2011)
03/15/2011		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Scheduling Conference held on 3/15/2011. The date to respond to the opposition of the motion set by Order docket item #199 is extended to Monday, 3/21/11 at 1pm. (mro) (Entered: 03/16/2011)
03/16/2011	<u>212</u>	DEMAND for Trial by Jury. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger(Little, Jan) (Entered: 03/16/2011)
03/16/2011	<u>213</u>	STIPULATION AND ORDER: the time for defendants Douglas Beltman; Hugo Gerardo Camacho Naranjo; Steven Donziger; Ann Maest; Javier Piaguaje Payaguaje; Stratus Consulting, Inc.; and The Law Offices of Steven R. Donziger to answer, move against, or otherwise respond to the complaint herein shall be and hereby is adjourned to 3/30/2011. (Signed by Judge Lewis A. Kaplan on 3/15/2011) (tro) Modified on 3/16/2011 (tro). (Entered: 03/16/2011)
03/17/2011	<u>214</u>	CERTIFICATE OF SERVICE of Order to Show Cause on the Action should not be Bifurcated and supporting papers served on Defendants and Co–Conspirators on 03/11/2011. Service was made by ECF Notification, Electronic Mail, By Hand, Overnight Mail. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/18/2011)
03/17/2011	<u>219</u>	MOTION for F. Gerald Maples to Appear Pro Hac Vice. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(mbe) (Entered: 03/21/2011)
03/18/2011	<u>215</u>	CERTIFICATE OF SERVICE of Notice Requesting Entry of Default served on Defendants on 03/11/2011. Service was made by ECF Notification, Electronic Mail, By Hand, Overnight Mail. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/18/2011)
03/18/2011	<u>216</u>	CERTIFICATE OF SERVICE of Notice Requesting Entry of Default served on Defendants on 03/14/2011. Service was made by Overnight Mail, By Hand, Electronic Mail. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/18/2011)
03/18/2011		CASHIERS OFFICE REMARK on <u>217</u> Motion to Appear Pro Hac Vice in the amount of \$125.00, paid on 03/11/2011, Receipt Number 931702. (jd) (Entered: 03/18/2011)
03/18/2011	<u>232</u>	TRANSCRIPT of proceedings held on February 8, 2011 2:20 p.m. before Judge Lewis A. Kaplan. (ajc) (Entered: 03/24/2011)
03/20/2011	<u>218</u>	DEMAND for Trial by Jury. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.(Mehler, Gordon) (Entered: 03/20/2011)

03/21/2011	<u>220</u>	RESPONSE TO ORDER TO SHOW CAUSE re: <u>199</u> Order to Show Cause,,, Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Keker, John) (Entered: 03/21/2011)
03/21/2011	<u>221</u>	DECLARATION of Elliot R. Peters in Support re: <u>220</u> Response to Order to Show Cause. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Keker, John) (Entered: 03/21/2011)
03/21/2011	<u>222</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Stratus Consulting, Inc..(Mehler, Gordon) (Entered: 03/21/2011)
03/21/2011	<u>223</u>	MEMORANDUM OF LAW in Opposition re: <u>200</u> Memorandum of Law in Support. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Attachments: # <u>1</u> Exhibit A)(Mehler, Gordon) (Entered: 03/21/2011)
03/21/2011	<u>224</u>	RESPONSE TO ORDER TO SHOW CAUSE re: <u>199</u> Order to Show Cause,,, Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) (Entered: 03/21/2011)
03/21/2011	<u>225</u>	MOTION for Oral Argument <i>REQUEST for Oral Argument in Connection with Chevron's Motion to Bifurcate Declaratory Judgment Claim in Whole or in Part.</i> Document filed by Steven Donziger, The Law Offices of Steven R. Donziger.(Peters, Elliot) (Entered: 03/21/2011)
03/21/2011	<u>226</u>	DEMAND for Trial by Jury. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje(Gomez, Julio) (Entered: 03/21/2011)
03/22/2011	<u>227</u>	ORDER: The Opinion dated March 7, 2011 is corrected as set forth in this Order. (Signed by Judge Lewis A. Kaplan on 3/22/2011) (jpo) (Entered: 03/22/2011)
03/22/2011	<u>228</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 3/21/2011 re: Requesting permission to fie a single reply brief of no more than 25 pages responding to all three of these opposition submissions. ENDORSEMENT: Granted. (Signed by Judge Lewis A. Kaplan on 3/22/2011) (jpo) (Entered: 03/22/2011)
03/22/2011	<u>229</u>	REPLY MEMORANDUM OF LAW in Support re: <u>199</u> Order to Show Cause,,, Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/22/2011)
03/22/2011	<u>230</u>	DECLARATION of Kristen L. Hendricks in Support re: <u>199</u> Order to Show Cause,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8)(Mastro, Randy) (Entered: 03/22/2011)
03/23/2011	<u>231</u>	ORDER: The Court will hold a scheduling conference on March 30, 2011 at 3:00 p.m. by conference call. Counsel shall confer in advance of that conference and formulate discovery plans and schedules for the disposition of this case on each of three possibilities. as set forth in this order. The discovery plans and proposed schedules, which shall explain the bases for the parties' estimates as to the time desired, shall be filed no later than March 29, 2011, at 4 p.m. They shall be free of any further argument and shall be responsive only to this order. They shall not exceed ten double spaced pages each. So Ordered (Signed by Judge Lewis A. Kaplan on 3/23/2011) (js) (Entered: 03/23/2011)
03/24/2011	<u>233</u>	NOTICE OF APPEAL from <u>181</u> Opinion, <u>195</u> Order, <u>227</u> Order, <u>183</u> Order on Motion for Leave to File Document, <u>188</u> Order on Motion for Miscellaneous Relief. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. Filing fee \$ 455.00, receipt number E 933063. (nd) (Entered: 03/25/2011)
03/24/2011	247	TRANSCRIPT of proceedings held on 3/15/11, 3:40 p.m. before Judge Lewis A. Kaplan. (rjm) (Entered: 03/31/2011)
03/25/2011		Transmission of Notice of Appeal to the District Judge re: <u>233</u> Notice of Appeal,. (nd) (Entered: 03/25/2011)

03/25/2011		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>233</u> Notice of Appeal,. (nd) (Entered: 03/25/2011)
03/25/2011		<p>Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>24</u> Declaration in Support, filed by Chevron Corporation, <u>141</u> Declaration in Support,, filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>139</u> Declaration in Support, filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>194</u> Order on Motion to Appear Pro Hac Vice, <u>96</u> Declaration in Support, filed by Chevron Corporation, <u>168</u> Letter,,,, filed by Chevron Corporation, <u>71</u> Affidavit of Service Complaints filed by Chevron Corporation, <u>179</u> Declaration in Opposition to Motion, filed by Chevron Corporation, <u>107</u> Declaration in Support, filed by Chevron Corporation, <u>109</u> Declaration in Support, filed by Chevron Corporation, <u>199</u> Order to Show Cause,,, <u>134</u> Affidavit, filed by Chevron Corporation, <u>80</u> Notice of Appearance filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>74</u> Affidavit of Service Other,, filed by Chevron Corporation, <u>117</u> Declaration filed by Chevron Corporation, <u>150</u> MOTION Increase the Bond (on Short Notice). filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>93</u> Declaration in Support filed by Chevron Corporation, <u>78</u> Order, Set Deadlines/Hearings, <u>26</u> Declaration in Support, filed by Chevron Corporation, <u>132</u> Declaration in Opposition filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>102</u> Declaration in Support, filed by Chevron Corporation, <u>12</u> Declaration in Support, filed by Chevron Corporation, <u>111</u> Declaration in Support,, filed by Chevron Corporation, <u>62</u> Affirmation in Opposition, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>138</u> Declaration in Support,, filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>177</u> Certificate of Service Other, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>30</u> Declaration in Support,,, filed by Chevron Corporation, <u>151</u> Memorandum of Law in Support of Motion filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>82</u> Notice of Substitution of Attorney, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>204</u> Certificate of Service Other, filed by Chevron Corporation, <u>160</u> MOTION to Transfer Case – <i>Application for Transfer of Case as Related to Aguinda, et al. v. Texaco, et al.</i>, 93–CV–07527 JSR, Pursuant to Rule 15 of the Division of Business Among District Judges, Southern District. filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>230</u> Declaration in Support, filed by Chevron Corporation, <u>163</u> Certificate of Service Other, filed by Chevron Corporation, <u>43</u> Declaration in Support, filed by Chevron Corporation, <u>133</u> Affidavit in Opposition filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>25</u> Declaration in Support, filed by Chevron Corporation, <u>17</u> Declaration in Support, filed by Chevron Corporation, <u>207</u> Notice of Appearance filed by Ann Maest, Douglas Beltman, Stratus Consulting, Inc., <u>178</u> Memorandum of Law in Opposition to Motion filed by Chevron Corporation, <u>159</u> Notice (Other), Notice (Other) filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>162</u> Certificate of Service Other, filed by Chevron Corporation, <u>32</u> Declaration in Support,, filed by Chevron Corporation, <u>213</u> Stipulation and Order, Set Deadlines,, <u>193</u> Order, Set Deadlines/Hearings,,,,, <u>116</u> Declaration in Support filed by Chevron Corporation, <u>65</u> Affirmation in Opposition, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>140</u> Declaration in Support,, filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>212</u> Jury Demand filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>161</u> Declaration in Support of Motion,, filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>130</u> Notice of Appearance filed by Ann Maest, Douglas Beltman, Stratus Consulting, Inc., Stratus Consulting, Inc., <u>75</u> Affidavit of Service Other,,,,, filed by Chevron Corporation, <u>91</u> Reply Memorandum of Law in Support filed by Chevron Corporation, <u>208</u> Notice of Appearance filed by Ann Maest, Douglas Beltman, Stratus Consulting, Inc., <u>170</u> Endorsed Letter, <u>98</u> Declaration in Support filed by Chevron Corporation, <u>29</u> Declaration in Support,, filed by Chevron Corporation, <u>77</u> Order, Set Deadlines/Hearings,,,,,,,,,,,,, <u>172</u> MOTION for Leave to File Supplemental Opposition to Chevron Corporation's Motion for Preliminary Injunction. filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>171</u> MOTION for Martin D. Beier, Joe L. Silver and Jessica R. Torbin to Appear Pro Hac Vice. filed by Ann Maest, Douglas Beltman, Stratus Consulting, Inc., Stratus Consulting, Inc., <u>226</u> Jury Demand filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>210</u> Order on Motion to Appear Pro Hac Vice, <u>69</u> Affidavit of Service Complaints filed by Chevron Corporation, <u>48</u> Declaration</p>



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		03/25/2011)
03/28/2011	<u>234</u>	NOTICE OF APPEARANCE by Joe L. Silver on behalf of Douglas Beltman, Ann Maest, Stratus Consulting, Inc. (Silver, Joe) (Entered: 03/28/2011)
03/28/2011	<u>235</u>	MEMO ENDORSEMENT on <u>219</u> Motion for F. Gerald Maples to Appear Pro Hac Vice. ENDORSEMENT: Granted. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 3/28/2011) (lnl) (Entered: 03/28/2011)
03/29/2011	<u>236</u>	ORDER: The Court recognizes that the parties presumably have assumed since the stipulation was signed on March 24, 2011 that the Court would approve it and that the appearing defendants therefore have lost three business and five calendar days that were available to them between the date of the stipulation and today. Accordingly, the Court on its own motion extends the time of the appearing defendants to answer the complaint (but not to file any Rule 12(b) motion) to and including April 4, 2011. So Ordered (Signed by Judge Lewis A. Kaplan on 3/29/2011) (js) (Entered: 03/29/2011)
03/29/2011	<u>237</u>	ORDER TO SHOW CAUSE filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. Plaintiff Chevron Corporation shall show cause as to why proceedings and certain portions of the March 7, 2011 Order should not be stayed pending Appeal, dated March 29, 2011; and the Declaration of Julio C. Gomez and supporting exhibits, dated March 29, 2011 and notwithstanding their delay of 22 days in seeking this relief and their failure to comply with the SDNY Civ. R. 6.1(d). Chevron must show cause before this court at Room 12D on 4/4/11. The motion will be taken on submission unless otherwise ordered. Show Cause Response due by 4/1/2011. Show cause reply due by 4/4/11. (Signed by Judge Lewis A. Kaplan on 3/29/11) (djc) Modified on 4/1/2011 (djc). (Entered: 03/29/2011)
03/29/2011		CASHIERS OFFICE REMARK on <u>219</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 03/17/2011, Receipt Number 932037. (jd) (Entered: 03/29/2011)
03/29/2011	<u>238</u>	JOINT PRE-CONFERENCE STATEMENT <i>for March 30, 2011 Conference</i> . Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger.(Gomez, Julio) (Entered: 03/29/2011)
03/29/2011	<u>239</u>	RULE 26(f) DISCOVERY PLAN REPORT.Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc., Stratus Consulting, Inc..(Beier, Martin) (Entered: 03/29/2011)
03/29/2011	<u>240</u>	PRE-CONFERENCE STATEMENT – <i>CHEVRON CORPORATION'S PROPOSED DISCOVERY PLANS AND SCHEDULES</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A)(Mastro, Randy) (Entered: 03/29/2011)
03/29/2011	<u>241</u>	MEMORANDUM AND ORDER. The parties are directed to confer promptly on this issue. The Court would be surprised if any dispute could not be resolved or, at least, narrowed by agreement. If the parties cannot resolve the matter entirely, they are to report to the Court in writing no later than April 4,2011 as to their respective positions. Their respective submissions (one on each side) shall not exceed seven double spaced pages absent leave of the Court.(Signed by Judge Lewis A. Kaplan on 3/29/11) (djc) (Entered: 03/29/2011)
03/29/2011		Set Deadlines/Hearings:Clide Ramiro Aguinda Aguinda answer due 4/4/2011; Lidia Alexandra Aguinda Aguinda answer due 4/4/2011; Patricio Wilson Aguinda Aguinda answer due 4/4/2011; Francisco Matias Alvarado Yumbo answer due 4/4/2011; Lorenzo Jose Alvarado Yumbo answer due 4/4/2011; Segundo Angel Amanta Milan answer due 4/4/2011; Douglas Beltman answer due 4/4/2011; Hugo Gerardo Camacho Naranjo answer due 4/4/2011; Benancio Fredy Chimbo Grefa answer due 4/4/2011; Lourdes Beatriz Chimbo Tanguil answer due 4/4/2011; Rosa Teresa Chimbo Tanguila answer due 4/4/2011; Luis Armando Chimbo Yumbo answer due 4/4/2011; Octavio Ismael Cordova Huanca answer due 4/4/2011; Steven Donziger answer due 4/4/2011; Frente de Defensa De La Amazonia answer due 4/4/2011; Olga Gloria Grefa Cerda answer due 4/4/2011; Beatriz Mercedes

		Grefa Tanguila answer due 4/4/2011; Lucio Enrique Grefa Tanguila answer due 4/4/2011; Heleodoro Pataron Guaraca answer due 4/4/2011; Carlos Grefa Huatatoca answer due 4/4/2011; Jose Miguel Ipiales Chicaiza answer due 4/4/2011; Daniel Carlos Lusitande Yaiguaje answer due 4/4/2011; Emilio Martin Lusitande Yaiguaje answer due 4/4/2011; Reinaldo Lusitande Yaiguaje answer due 4/4/2011; Ann Maest answer due 4/4/2011; Pablo Fajardo Mendoza answer due 4/4/2011; Guillermo Vicente Payaguaje Lusitante answer due 4/4/2011; Alfredo Donald Payaguaje Payaguaje answer due 4/4/2011; Delfin Leonidas Payaguaje Payaguaje answer due 4/4/2011; Miguel Mario Payaguaje Payaguaje answer due 4/4/2011; Luis Agustin Payaguaje Piaguaje answer due 4/4/2011; Angel Justino Piaguaje Lucitant answer due 4/4/2011; Teodoro Gonzalo Piaguaje Payaguaje answer due 4/4/2011; Armando Wilfrido Piaguaje Payaguaje answer due 4/4/2011; Fermin Piaguaje Payaguaje answer due 4/4/2011; Javier Piaguaje Payaguaje answer due 4/4/2011; Elias Roberto Piyahuaje Payahuaje answer due 4/4/2011; Maria Clelia Reascos Revelo answer due 4/4/2011; Jose Gabriel Revelo Llore answer due 4/4/2011; Maria Magdalena Rodriguez Barcenes answer due 4/4/2011; Catalina Antonia Aguinda Salazar answer due 4/4/2011; Maria Aguinda Salazar answer due 4/4/2011; Selva Viva Selviva CIA, Ltda answer due 4/4/2011; Stratus Consulting, Inc. answer due 4/4/2011; Stratus Consulting, Inc. answer due 4/4/2011; Bertha Antonia Yumbo Tanguila answer due 4/4/2011; Gloria Lucrecia Tanguila Grefa answer due 4/4/2011; Luisa Delia Tanguila Narvaez answer due 4/4/2011; Narcisa Aida Tanguila Narvaez answer due 4/4/2011; Franciso Victor Tanguilla Grefa answer due 4/4/2011; The Law Offices of Steven R. Donziger answer due 4/4/2011; Celia Irene Viveros Cusangua answer due 4/4/2011; Maria Hortencia Viveros Cusangua answer due 4/4/2011; Simon Lusitande Yaiguaje answer due 4/4/2011; Luis Yanza answer due 4/4/2011; Francisco Alvarado Yumbo answer due 4/4/2011; Patricio Alberto Chimbo Yumbo answer due 4/4/2011. (js) (Entered: 04/04/2011)
03/30/2011	<u>242</u>	MOTION to Dismiss ( <i>Notice of Motion to Dismiss</i> ). Document filed by Steven Donziger, The Law Offices of Steven R. Donziger.(Peters, Elliot) (Entered: 03/30/2011)
03/30/2011	<u>243</u>	MEMORANDUM OF LAW in Support re: <u>242</u> MOTION to Dismiss ( <i>Notice of Motion to Dismiss</i> ).. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Peters, Elliot) (Entered: 03/30/2011)
03/30/2011	<u>244</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MEMORANDUM OF LAW in Support re: <u>237</u> Order to Show Cause,. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) Modified on 3/31/2011 (ka). (Entered: 03/30/2011)
03/30/2011	<u>245</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – DECLARATION of Julio C. Gomez in Support re: <u>237</u> Order to Show Cause,. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit A (Part 1), # <u>2</u> Exhibit A (Part 2), # <u>3</u> Exhibit A (Part 3), # <u>4</u> Exhibit A (Part 4), # <u>5</u> Exhibit A (Part 5), # <u>6</u> Exhibit A (Part 6), # <u>7</u> Exhibit A (Part 7), # <u>8</u> Exhibit A (Part 8), # <u>9</u> Exhibit B, # <u>10</u> Exhibit C, # <u>11</u> Exhibit D, # <u>12</u> Exhibit E)(Gomez, Julio) Modified on 3/31/2011 (ka). (Entered: 03/30/2011)
03/30/2011	<u>246</u>	CERTIFICATE OF SERVICE of Supporting Papers for Order to Show Cause Why Proceedings and Certain Portions of Mar. 7, 2011 Order Should Not Be Stayed Pending Appeal served on Plaintiff Chevron Corporation on 03/29/2011. Service was made by Electronic Mail. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) (Entered: 03/30/2011)
03/30/2011		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Scheduling Conference held on 3/30/2011. (mbe) (Entered: 03/31/2011)
03/31/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Julio Cesar Gomez to RE-FILE Document <u>244</u> Memorandum of Law in Support. ERROR(S): Attorney signature or s/ signature missing from document. (ka) (Entered: 03/31/2011)
03/31/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Julio Cesar Gomez to RE-FILE Document <u>245</u> Declaration in Support. ERROR(S): Attorney signature or s/



		signature missing from document. (ka) (Entered: 03/31/2011)
03/31/2011	<u>248</u>	MEMORANDUM OF LAW in Support re: <u>237</u> Order to Show Cause,. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) (Entered: 03/31/2011)
03/31/2011	<u>249</u>	DECLARATION of Julio C. Gomez in Support re: <u>237</u> Order to Show Cause,. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit A (Part 1), # <u>2</u> Exhibit A (Part 2), # <u>3</u> Exhibit A (Part 3), # <u>4</u> Exhibit A (Part 4), # <u>5</u> Exhibit A (Part 5), # <u>6</u> Exhibit A (Part 6), # <u>7</u> Exhibit A (Part 7), # <u>8</u> Exhibit A (Part 8), # <u>9</u> Exhibit B, # <u>10</u> Exhibit C, # <u>11</u> Exhibit D, # <u>12</u> Exhibit E)(Gomez, Julio) (Entered: 03/31/2011)
04/01/2011	<u>250</u>	NOTICE OF APPEAL from <u>181</u> Opinion, <u>195</u> Order, <u>227</u> Order. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. Filing fee \$ 455.00, receipt number E 933704. (nd) (Entered: 04/01/2011)
04/01/2011		Transmission of Notice of Appeal to the District Judge re: <u>250</u> Notice of Appeal. (nd) (Entered: 04/01/2011)
04/01/2011		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>250</u> Notice of Appeal. (nd) (Entered: 04/01/2011)
04/01/2011		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>239</u> Rule 26(f) Discovery Plan Report filed by Ann Maest, Douglas Beltman, Stratus Consulting, Inc., Stratus Consulting, Inc., <u>240</u> Pre-Conference Statement filed by Chevron Corporation, <u>248</u> Memorandum of Law in Support filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>237</u> Order to Show Cause, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>249</u> Declaration in Support, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>235</u> Order on Motion to Appear Pro Hac Vice, <u>238</u> Pre-Conference Statement filed by Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger, Hugo Gerardo Camacho Naranjo, Steven Donziger, Note to Attorney to Re-File Document – Deficient Docket Entry Error, <u>250</u> Notice of Appeal filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>246</u> Certificate of Service Other, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>242</u> MOTION to Dismiss ( <i>Notice of Motion to Dismiss</i> ). filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>236</u> Order, Set Deadlines/Hearings,,,, <u>243</u> Memorandum of Law in Support of Motion filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>234</u> Notice of Appearance filed by Ann Maest, Douglas Beltman, Stratus Consulting, Inc., <u>241</u> Order,, <u>24</u> Declaration in Support, filed by Chevron Corporation, <u>141</u> Declaration in Support,, filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>139</u> Declaration in Support, filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>194</u> Order on Motion to Appear Pro Hac Vice, <u>96</u> Declaration in Support, filed by Chevron Corporation, <u>168</u> Letter,,,, filed by Chevron Corporation, <u>71</u> Affidavit of Service Complaints filed by Chevron Corporation, <u>179</u> Declaration in Opposition to Motion, filed by Chevron Corporation, <u>107</u> Declaration in Support, filed by Chevron Corporation, <u>109</u> Declaration in Support, filed by Chevron Corporation, <u>199</u> Order to Show Cause,,, <u>134</u> Affidavit, filed by Chevron Corporation, <u>80</u> Notice of Appearance filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>74</u> Affidavit of Service Other,, filed by Chevron Corporation, <u>117</u> Declaration filed by Chevron Corporation, <u>150</u> MOTION Increase the Bond (on Short Notice). filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>93</u> Declaration in Support filed by Chevron Corporation, <u>78</u> Order, Set Deadlines/Hearings, <u>26</u> Declaration in Support, filed by Chevron Corporation, <u>132</u> Declaration in Opposition filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>102</u> Declaration in Support, filed by Chevron Corporation, <u>12</u> Declaration in Support, filed by Chevron Corporation, <u>111</u> Declaration in Support,, filed by Chevron Corporation, <u>62</u> Affirmation in Opposition, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>138</u> Declaration in Support,, filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>177</u> Certificate of Service Other, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>30</u> Declaration in Support,, filed by Chevron Corporation, <u>151</u> Memorandum of Law in Support of Motion filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>82</u> Notice of

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04/01/2011	<u>251</u>	MEMORANDUM OF LAW in Opposition re: <u>237</u> Order to Show Cause,, Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 04/01/2011)
04/01/2011	<u>252</u>	DECLARATION of Kristen L. Hendricks in Opposition re: <u>237</u> Order to Show Cause,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, Part 1, # <u>2</u> Exhibit 1, Part 2, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11)(Mastro, Randy) (Entered: 04/01/2011)
04/01/2011	253	TRANSCRIPT of proceedings held on 3/30/2011 before Judge Lewis A. Kaplan. (ja) (Entered: 04/04/2011)
04/01/2011	261	TRANSCRIPT of proceedings held on 2/18/2011 before Judge Lewis A. Kaplan. (ja) (Entered: 04/05/2011)
04/01/2011	265	TRANSCRIPT of proceedings held on 3/30/2011 before Judge Lewis A. Kaplan. (dnd) (Entered: 04/07/2011)
04/04/2011	<u>254</u>	REPLY MEMORANDUM OF LAW in Support re: <u>237</u> Order to Show Cause,, Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) (Entered: 04/04/2011)
04/04/2011	<u>255</u>	RESPONSE re: <u>241</u> Order,, <i>CHEVRON CORPORATION'S STATEMENT REGARDING DEFENDANTS' PROPOSAL TO MODIFY THE PRELIMINARY INJUNCTION ORDER</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 04/04/2011)



04/04/2011	<u>256</u>	DECLARATION of Randy M. Mastro in Support re: <u>255</u> Response. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Mastro, Randy) (Entered: 04/04/2011)
04/04/2011	<u>257</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc..(Beier, Martin) (Entered: 04/04/2011)
04/04/2011	<u>258</u>	ANSWER to Complaint with JURY DEMAND. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc..(Beier, Martin) (Entered: 04/04/2011)
04/04/2011	<u>259</u>	ANSWER to Complaint with JURY DEMAND. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(Gomez, Julio) (Entered: 04/04/2011)
04/04/2011	<u>260</u>	RESPONSE re: <u>241</u> Order,, <i>Regarding Defendants' Proposal to Modify the Preliminary Injunction Order</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit Ex. A, # <u>2</u> Exhibit Ex. B, # <u>3</u> Exhibit Ex. C)(Gomez, Julio) (Entered: 04/04/2011)
04/04/2011	<u>268</u>	MOTION for Nikki K. Vo to Appear Pro Hac Vice. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger.(mbe) (Entered: 04/11/2011)
04/04/2011	<u>269</u>	MOTION for Christopher J. Young to Appear Pro Hac Vice. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger.(mbe) (Entered: 04/11/2011)
04/04/2011	<u>270</u>	MOTION for Matthew M. Werdegarr to Appear Pro Hac Vice. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger.(mbe) (Entered: 04/11/2011)
04/06/2011	<u>262</u>	First Supplemental ROA Sent to USCA (Index). Notice that the Supplemental Index to the record on Appeal for <u>250</u> Notice of Appeal filed by The Law Offices of Steven R. Donziger, Steven Donziger; <u>233</u> Notice of Appeal filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. USCA Case Number 11-1150, 3 Copies of the index, Certified Supplemental Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (tp) Modified on 4/6/2011 (tp). (nd). (Entered: 04/06/2011)
04/06/2011	<u>263</u>	MEMORANDUM AND ORDER: The LAP Representatives are not likely to prevail on appeal. The balance of the equities strongly favors Chevron. The public interest does not alter the balance in favor of a stay pending appeal. Accordingly, so much of the LAP Representatives' motion as seeks a stay of the preliminary injunction pending appeal is denied. The Court reserves decision on the balance of the motion. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 4/6/2011) (lnl) (Entered: 04/06/2011)
04/07/2011	<u>264</u>	Letter addressed to Judge Lewis A. Kaplan from John Kecker dated 4/6/11 re: In response to Chevron's 4/5/11 letter. Document filed by Steven Donziger.(cd) (Entered: 04/07/2011)
04/07/2011	<u>266</u>	MEMO ENDORSEMENT on re: <u>225</u> Motion for Oral Argument ENDORSEMENT: Denied. So Ordered. (Signed by Judge Lewis A. Kaplan on 4/7/2011) (jfe) (Entered: 04/07/2011)
04/08/2011	<u>267</u>	ORDER, that the "Court does not consider the parties' efforts to date to have been reasonable or conducted in a good faith effort to reach agreement. They are directed to make a further effort and report back to the Court by the close of business next Wednesday, April 13, 2011. Should they fail to resolve the differences between them, the Lago Agrio Representatives then may move to modify the preliminary injunction or seek to stay pending appeal so much of it as may remain at issue. (Signed by Judge Lewis A. Kaplan on 4/8/11) (pl) Modified on 4/18/2011 (pl). Modified on 4/18/2011 (pl). (Entered: 04/08/2011)
04/11/2011	<u>271</u>	AMENDED ANSWER to <u>1</u> Complaint,,,,,, with JURY DEMAND. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) (Entered: 04/11/2011)

04/13/2011	<u>272</u>	MEMO ENDORSEMENT granting <u>268</u> Motion for Nikki K. Vo to Appear Pro Hac Vice. ENDORSEMENT: Granted. (Signed by Judge Lewis A. Kaplan on 4/13/2011) (jpo) (Entered: 04/13/2011)
04/13/2011	<u>273</u>	MEMO ENDORSEMENT granting <u>269</u> Motion for Christopher J. Young to Appear Pro Hac Vice. ENDORSEMENT: Granted. (Signed by Judge Lewis A. Kaplan on 4/13/2011) (jpo) (Entered: 04/13/2011)
04/13/2011	<u>274</u>	MEMO ENDORSEMENT granting <u>270</u> Motion for Matthew M. Werdegard to Appear Pro Hac Vice. ENDORSEMENT: Granted. (Signed by Judge Lewis A. Kaplan on 4/13/2011) (jpo) (Entered: 04/13/2011)
04/13/2011	<u>275</u>	SUPPLEMENTAL RESPONSE re: <u>267</u> Order, Set Scheduling Order Deadlines,,,,,,,,,,,,, <i>CHEVRON CORPORATION'S SUPPLEMENTAL STATEMENT REGARDING THE LAP REPRESENTATIVES' PROPOSAL TO MODIFY THE PRELIMINARY INJUNCTION ORDER</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 04/13/2011)
04/13/2011	<u>276</u>	DECLARATION of Randy M. Mastro re: <u>275</u> Response, – <i>DECLARATION IN SUPPORT OF CHEVRON CORPORATION'S SUPPLEMENTAL STATEMENT REGARDING THE LAP REPRESENTATIVES' PROPOSAL TO MODIFY THE PRELIMINARY INJUNCTION ORDER</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Mastro, Randy) (Entered: 04/13/2011)
04/13/2011	<u>277</u>	RESPONSE re: <u>267</u> Order, Set Scheduling Order Deadlines,,,,,,,,,,,,, <i>Regarding Defendants' Proposal to Modify the Preliminary Injunction Order</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C)(Gomez, Julio) (Entered: 04/13/2011)
04/15/2011	<u>278</u>	MEMORANDUM OPINION; #100253 The interests of justice, convenience, the avoidance of prejudice, and the desirability of an expedited resolution of Count 9 all support conducting a separate trial on that claim. Chevrons motion to bifurcate Count 9 therefore is granted. The Court, however, retains complete flexibility to ensure that the matter is handled appropriately and that any Seventh Amendment rights are preserved. It therefore will stand ready to consider changes to this order, should circumstances warrant, as the matter proceeds. Additional relief as set forth in this Order. (Signed by Judge Lewis A. Kaplan on 4/15/11) (pl) Modified on 4/27/2011 (ajc). (Entered: 04/15/2011)
04/15/2011	<u>279</u>	SCHEDULING ORDER: that, Unless otherwise ordered, the following schedule shall govern proceedings with respect to Count Nine of the complaint in this action: Any amendments or motions for leave to amend pleadings shall be filed on or before May 13, 2011. Any motions for leave to add parties shall be filed on or before May 13, 2011. All discovery shall be completed by September 15, 2011. All summary judgment or other dispositive motions shall be filed no later than September 23, 2011. All papers in opposition to any summary judgment or other dispositive motions shall be filed no later than October 10, 2011. All reply papers in support of any summary judgment or other dispositive motions shall be filed no later than October 19, 2011. Unless Count Nine is sooner disposed of by other means, the trial will commence on November 14, 2011. In view of the desirability of joining issue for the purpose, among others, of determining the scope of discovery with respect to Count Nine and the somewhat uninformative nature of the list of affirmative defenses provided voluntarily by defendant Donziger, the Court, pursuant to Fed. R. Civ. P. 12(a)(4), directs defendant Donziger, notwithstanding the pendency of his motion to dismiss, to file an answer to the complaint no later than April 28, 2011. Amended Pleadings due by 5/13/2011. Motions due by 9/23/2011. Responses due by 10/10/2011 Replies due by 10/19/2011. Discovery due by 9/15/2011. (Signed by Judge Lewis A. Kaplan on 4/15/11) (pl) (Entered: 04/15/2011)
04/15/2011		Set/Reset Deadlines: Steven Donziger answer due 4/28/2011. (pl) (Entered: 04/15/2011)
04/15/2011		Set/Reset Deadlines: Ready for Trial by 11/14/2011. (pl) (Entered: 04/15/2011)

04/18/2011	<u>280</u>	MEMORANDUM AND ORDER: To the extent not already ruled upon, the motion of the LAP Representatives [DI 237] is denied. (Signed by Judge Lewis A. Kaplan on 4/18/2011) (jfe) (Entered: 04/18/2011)
04/20/2011	<u>283</u>	AMENDED COMPLAINT amending <u>1</u> Complaint, against Clide Ramiro Aguinda Aguinda, Lidia Alexandra Aguinda Aguinda, Patricio Wilson Aguinda Aguinda, Francisco Matias Alvarado Yumbo, Lorenzo Jose Alvarado Yumbo, Segundo Angel Amanta Milan, Douglas Beltman, Hugo Gerardo Camacho Naranjo, Benancio Fredy Chimbo Grefa, Lourdes Beatriz Chimbo Tanguil, Rosa Teresa Chimbo Tanguila, Luis Armando Chimbo Yumbo, Octavio Ismael Cordova Huanca, Steven Donziger, Frente de Defensa De La Amazonia, Olga Gloria Grefa Cerda, Beatriz Mercedes Grefa Tanguila, Lucio Enrique Grefa Tanguila, Heleodoro Pataron Guaraca, Carlos Grefa Huatatoca, Jose Miguel Ipiates Chicaiza, Daniel Carlos Lusitande Yaiguaje, Emilio Martin Lusitande Yaiguaje, Reinaldo Lusitande Yaiguaje, Ann Maest, Pablo Fajardo Mendoza, Guillermo Vicente Payaguaje Lusitante, Alfredo Donald Payaguaje Payaguaje, Delfin Leonidas Payaguaje Payaguaje, Miguel Mario Payaguaje Payaguaje, Luis Agustin Payaguaje Piaguaje, Angel Justino Piaguaje Lucitant, Teodoro Gonzalo Piaguaje Payaguaje, Armando Wilfrido Piaguaje Payaguaje, Fermin Piaguaje Payaguaje, Javier Piaguaje Payaguaje, Elias Roberto Piyahuaje Payahuaje, Maria Clelia Reascos Revelo, Jose Gabriel Revelo Llore, Maria Magdalena Rodriguez Barcenes, Catalina Antonia Aguinda Salazar, Maria Aguinda Salazar, Selva Viva Selviva CIA, Ltda, Stratus Consulting, Inc., Stratus Consulting, Inc., Bertha Antonia Yumbo Tanguila, Gloria Lucrecia Tanguila Grefa, Luisa Delia Tanguila Narvaez, Narcisa Aida Tanguila Narvaez, Franciso Victor Tanguilla Grefa, The Law Offices of Steven R. Donziger, Celia Irene Viveros Cusangua, Maria Hortencia Viveros Cusangua, Simon Lusitande Yaiguaje, Luis Yanza, Francisco Alvarado Yumbo, Patricio Alberto Chimbo Yumbo with JURY DEMAND.Document filed by Chevron Corporation. Related document: <u>1</u> Complaint, filed by Chevron Corporation.(rdz) (Additional attachment(s) added on 4/26/2011: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (ama). (Entered: 04/26/2011)
04/22/2011	<u>281</u>	NOTICE OF APPEARANCE by Stuart Alan Krause on behalf of Douglas Beltman, Ann Maest, Stratus Consulting, Inc. (Krause, Stuart) (Entered: 04/22/2011)
04/22/2011	<u>282</u>	NOTICE OF APPEARANCE by Benjamin H. Green on behalf of Douglas Beltman, Ann Maest, Stratus Consulting, Inc. (Green, Benjamin) (Entered: 04/22/2011)
04/26/2011	<u>284</u>	ORDER TO SHOW CAUSE WHY THE PRESIDING DISTRICT JUDGE SHOULD NOT BE RECUSED PURSUANT TO 28 U.S.C. § 455(a). Plaintiff Chevron Corporation shall show cause as to why the Presiding District Judge Should Not Be Recused Pursuant to 28 U.S.C. § 455(a), dated April 22, 2011. ORDERED that service of a copy of this Order and of all of the papers submitted in support thereof, by hand, facsimile, or email, upon counsel for Plaintiff Chevron Corporation on or before 1:00 p.m. EDT on Tuesday, April 26, 2011, shall be deemed good and sufficient service thereof. Show Cause Response due by 5/2/2011. Ordered that reply papers, if any, shall be served and filed electronically on or before 4:00 p.m. EDT on Wednesday, May 4, 2011, and as further set forth. (Signed by Judge Lewis A. Kaplan on 4/25/2011) (rjm) Modified on 4/26/2011 (rjm). (Entered: 04/26/2011)
04/26/2011	<u>285</u>	MEMORANDUM OF LAW in Support re: <u>284</u> Order to Show Cause,,, Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) (Entered: 04/26/2011)
04/26/2011	<u>286</u>	AFFIDAVIT of Julio C. Gomez in Support re: <u>284</u> Order to Show Cause,,, Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) (Entered: 04/26/2011)
04/26/2011	<u>287</u>	DECLARATION of Julio C. Gomez in Support re: <u>284</u> Order to Show Cause,,, Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u>

		Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30, # <u>31</u> Exhibit 31, # <u>32</u> Exhibit 32, # <u>33</u> Exhibit 33, # <u>34</u> Exhibit 34, # <u>35</u> Exhibit 35, # <u>36</u> Exhibit 36, # <u>37</u> Exhibit 37, # <u>38</u> Exhibit 38, # <u>39</u> Exhibit 39, # <u>40</u> Exhibit 40)(Gomez, Julio) (Entered: 04/26/2011)
04/26/2011	<u>288</u>	CERTIFICATE OF SERVICE of Supporting Papers for Order to Show Cause Why the Presiding District Judge Should Not Be Recused Pursuant to 28 U.S.C. § 455(a) served on Plaintiff Chevron Corporation on 4/26/2011. Service was made by Electronic Mail. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) (Entered: 04/26/2011)
04/28/2011	<u>289</u>	ORDER Donziger shall file an answer to the amended complaint on or before May 4, 2011. This is without prejudice to any application for a reasonable extension of the May 4, 2011 date if Donziger wishes additional time. He is free to file a Rule 12 motion as well as an answer should he be so advised. SO ORDERED. Steven Donziger answer due 5/4/2011. (Signed by Judge Lewis A. Kaplan on 4/28/2011) (jmi) (Entered: 04/28/2011)
04/28/2011	<u>290</u>	TRANSCRIPT of Proceedings re: ARGUMENT held on 3/15/11 before Judge Lewis A. Kaplan. Court Reporter/Transcriber: Khristine Sellin, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 5/23/2011. Redacted Transcript Deadline set for 6/3/2011. Release of Transcript Restriction set for 8/1/2011.(McGuirk, Kelly) (Entered: 04/28/2011)
04/28/2011	<u>291</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a ARGUMENT proceeding held on 3/15/11 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 04/28/2011)
04/29/2011	<u>292</u>	ORDER TO SHOW CAUSE WHY STEVEN DONZIGER, LAW OFFICES OF STEVEN R. DONZIGER, AND DONZIGER & ASSOCIATES, PLLC SHOULD NOT BE PERMITTED TO INTERVENE IN THE DECLARATORY JUDGMENT CLAIM PURSUANT TO FED. R. CIV. P. 24, that service of a copy of this Order and of all of the papers submitted in support thereof, in accordance with Fed. R. Civ. P. 5, upon counsel for Plaintiff Chevron Corporation ("Chevron"), on or before 11:00 a.m. EDT on Monday May 2, 2011, shall be deemed good and sufficient service thereof; and it further: ORDERED that papers in opposition to Donziger's application for an order permitting him to intervene in Chevron's Ninth Claim for Relief, if any, shall be served and filed electronically on or before 4:00 p.m. EDT on Thursday, May 12, 2011; and it is further: ORDERED that reply papers, if any, shall be served and filed electronically on or before 4:00 p.m. EDT on Monday May 16, 2011; and it is further: ORDERED that Chevron show cause before this Court, on May 16, 2011, why an order should not be issued, pursuant to Rule 24 of the Federal Rules of Civil Procedure, granting Donziger's request to intervene in Chevron's Ninth Claim for Relief. Unless otherwise ordered, the motion will be taken on submission, and no appearance of counsel if required. SO ORDERED. Show Cause Response due by 5/16/2011. (Signed by Judge Lewis A. Kaplan on 4/29/2011) (lnl) (Entered: 04/29/2011)
04/29/2011	<u>293</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – MOTION to Intervene <i>Steven Donziger, The Law Offices of Steven R. Donziger, and Donziger Associates, PLLC's Memorandum of Law In Support of Application by Order to Show Cause Why They Should Not be Permitted to Intervene in the Declaratory Judgment Claim Pursuant to Fed.R.Civ.P.24</i> . Document filed by Steven Donziger, The Law Offices of Steven R. Donziger.(Little, Jan) Modified on 5/2/2011 (ldi). (Entered: 04/29/2011)
04/29/2011	<u>294</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – DECLARATION of Elliot R. Peters in Support re: <u>293</u> MOTION to Intervene <i>Steven Donziger, The Law Offices of Steven R. Donziger, and Donziger Associates,</i>



		<i>PLLC's Memorandum of Law In Support of Application by Order to Show Cause Why They Should Not be Permitted to Intervene in the Declaratory Jud. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A)(Peters, Elliot) Modified on 5/2/2011 (ldi). (Entered: 04/29/2011)</i>
04/29/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Jan Nielsen Little to RE-FILE Document <u>293</u> MOTION to Intervene <i>Steven Donziger, The Law Offices of Steven R. Donziger, and Donziger Associates, PLLC's Memorandum of Law In Support of Application by Order to Show Cause Why They Should Not be Permitted to Intervene in the Declaratory Jud. Use the event type Memorandum of Law in Support (non-motion) found under the event list Other Answers. (ldi) (Entered: 05/02/2011)</i>
04/29/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Elliot Remsen Peters to RE-FILE Document <u>294</u> Declaration in Support of Motion. Use the event type Declaration in Support (non-motion) found under the event list Other Answers. (ldi) (Entered: 05/02/2011)
05/02/2011		First Supplemental ROA Sent to USCA (File). Supplemental Indexed record on Appeal Files for <u>233</u> Notice of Appeal, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo USCA Case Number 11-1150-cv, were transmitted to the U.S. Court of Appeals. (nd) (Entered: 05/02/2011)
05/02/2011	<u>295</u>	MEMORANDUM OF LAW in Support <i>Steven Donziger, The Law Offices of Steven R. Donziger, and Donziger &amp; Associates, PLLC's Memorandum of Law in Support of Their Application by Order to Show Cause Why They Should Not be Permitted to Intervene in the Declaratory Judgment Claim Pursuant to Fed. R. Civ. P. 24.</i> Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Little, Jan) (Entered: 05/02/2011)
05/02/2011	<u>296</u>	DECLARATION of Elliot R. Peters in Support re: <u>295</u> Memorandum of Law in Support,. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A)(Peters, Elliot) (Entered: 05/02/2011)
05/02/2011	<u>297</u>	MEMORANDUM OF LAW in Opposition re: <u>284</u> Order to Show Cause,,, Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 05/02/2011)
05/02/2011	<u>298</u>	DECLARATION of Randy M. Mastro in Opposition re: <u>284</u> Order to Show Cause,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30)(Mastro, Randy) (Entered: 05/02/2011)
05/02/2011	<u>299</u>	DECLARATION of Seth A. Leone in Opposition re: <u>284</u> Order to Show Cause,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A through D)(Mastro, Randy) (Entered: 05/02/2011)
05/02/2011	<u>300</u>	DECLARATION of Michael L. Younger in Opposition re: <u>284</u> Order to Show Cause,,, Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A and B)(Mastro, Randy) (Entered: 05/02/2011)
05/04/2011	<u>301</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying No as Corporate Parent. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger, Donziger & Associates, PLLC.(Werdegar, Matthew) (Entered: 05/04/2011)
05/04/2011	<u>302</u>	MOTION to Dismiss ( <i>Notice of Motion to Dismiss Chevron Corporation's Amended Complaint</i> ). Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger.(Keker, John) (Entered: 05/04/2011)

05/04/2011	<u>303</u>	MEMORANDUM OF LAW in Support re: <u>302</u> MOTION to Dismiss ( <i>Notice of Motion to Dismiss Chevron Corporation's Amended Complaint</i> ).. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Keker, John) (Entered: 05/04/2011)
05/04/2011	<u>304</u>	DECLARATION of John W. Keker in Support re: <u>302</u> MOTION to Dismiss ( <i>Notice of Motion to Dismiss Chevron Corporation's Amended Complaint</i> ).. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A)(Keker, John) (Entered: 05/04/2011)
05/04/2011	<u>305</u>	REPLY MEMORANDUM OF LAW in Support re: <u>284</u> Order to Show Cause,,, Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) (Entered: 05/04/2011)
05/04/2011	<u>306</u>	DECLARATION of Julio C. Gomez in Support re: <u>305</u> Reply Memorandum of Law in Support. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit Ex. A, # <u>2</u> Exhibit Ex. B, # <u>3</u> Exhibit Ex. C, # <u>4</u> Exhibit Ex. D, # <u>5</u> Exhibit Ex. E, # <u>6</u> Exhibit Ex. F, # <u>7</u> Exhibit Ex. G, # <u>8</u> Exhibit Ex. H, # <u>9</u> Exhibit Ex. I, # <u>10</u> Exhibit Ex. J, # <u>11</u> Exhibit Ex. K, # <u>12</u> Exhibit Ex. L)(Gomez, Julio) (Entered: 05/04/2011)
05/04/2011	<u>307</u>	ANSWER to Amended Complaint with JURY DEMAND. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. Related document: <u>283</u> Amended Complaint,,,,,, filed by Chevron Corporation.(Keker, John) (Entered: 05/04/2011)
05/05/2011	<u>308</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Benjamin H. Green dated 4/29/2011 re: Counsel writes on behalf of Defendants Stratus Consulting, Inc., Douglas Beltman and Ann Maest, to request a 30 day extension of time until 6/8/2011 to answer or otherwise respond to plaintiff's amended complaint. ENDORSEMENT: Time extended to and including 5/17/2011. (Signed by Judge Lewis A. Kaplan on 5/5/2011) (ab) (Entered: 05/05/2011)
05/05/2011	<u>309</u>	CONSENT TO CHANGE COUNSEL: Zeichner Ellman & Krause LLP shall be substituted as attorneys of record for defendants Stratus Consulting, Inc., Douglas Beltman and Ann Maest in place and stead of the undersigned attorneys. Attorney Stuart Alan Krause, Benjamin H. Green for Stratus Consulting, Inc. Douglas Beltman and Ann Maest added. Attorney Gordon Mehler terminated. (Signed by Judge Lewis A. Kaplan on 5/5/2011) (tro) (Entered: 05/05/2011)
05/09/2011	<u>310</u>	MEMORANDUM OPINION. #100300 This Court has considered this motion with the great care that it deserves. Informed persons, knowing and understanding all of the myriad and complex facts of these extensive proceedings, and putting aside the rhetoric and other devices deployed here by the LAP Representatives, readily would see that the Court's rulings have been firmly grounded in the law and the evidence. There is no objective reason to think that it has been anything less than entirely impartial. The motion to recuse the undersigned [DI 284] is denied. (Signed by Judge Lewis A. Kaplan on 5/9/11) (rjm) Modified on 5/9/2011 (rjm). Modified on 5/10/2011 (ajc). (Entered: 05/09/2011)
05/10/2011	<u>311</u>	ANSWER to Amended Complaint with JURY DEMAND. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. Related document: <u>283</u> Amended Complaint,,,,,, filed by Chevron Corporation.(Gomez, Julio) (Entered: 05/10/2011)
05/12/2011	<u>312</u>	MEMORANDUM OF LAW in Opposition re: <u>292</u> Order to Show Cause,,,,, <i>CHEVRON CORPORATION'S MEMORANDUM OF LAW IN OPPOSITION TO THE APPLICATION BY ORDER TO SHOW CAUSE OF DEFENDANTS STEVEN DONZIGER, THE LAW OFFICES OF STEVEN R. DONZIGER, AND DONZIGER &amp; ASSOCIATES, PLLC WHY THEY SHOULD NOT BE PERMITTED TO INTERVENE IN THE DECLARATORY JUDGMENT CLAIM PURSUANT TO FED. R. CIV. P. 24.</i> Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 05/12/2011)
05/12/2011	<u>313</u>	DECLARATION of Kristen L. Hendricks in Support re: <u>312</u> Memorandum of Law in Opposition,. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Mastro, Randy) (Entered: 05/12/2011)



05/12/2011	<u>314</u>	ORDER of USCA (Certified Copy) as to <u>250</u> Notice of Appeal filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>233</u> Notice of Appeal, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo USCA Case Number 11-1150-cv(L), 11-1264-cv(con). It is ORDERED that the request to stay the district court's proceedings is DENIED without prejudice to renew before the merits panel. It is further ORDERED that the motion for a partial stay, pending resolution of the appeal of the preliminary injunction is GRANTED. It is further ORDERED that Appellants' motions to expedite the appeal and to file oversized briefs are GRANTED. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 05/12/2011. (nd) (Entered: 05/12/2011)
05/13/2011	<u>315</u>	NOTICE of Intent to Rely on Foreign Law Pursuant to Fed. R. Civ. P. 44.1. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) (Entered: 05/13/2011)
05/13/2011	<u>316</u>	NOTICE of Intent To Rely on Foreign Law Per FRCP 44.1 re: <u>279</u> Scheduling Order,,,,, Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Peters, Elliot) (Entered: 05/13/2011)
05/13/2011	<u>317</u>	NOTICE of PURSUANT TO RULE 44.1 OF THE FEDERAL RULES OF CIVIL PROCEDURE OF INTENT TO RAISE ISSUES OF FOREIGN LAW. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 05/13/2011)
05/13/2011	<u>318</u>	NOTICE of PURSUANT TO RULE 44.1 OF THE FEDERAL RULES OF CIVIL PROCEDURE OF INTENT TO RAISE ISSUES OF FOREIGN LAW. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 05/14/2011)
05/16/2011	<u>319</u>	REPLY MEMORANDUM OF LAW in Support re: <u>292</u> Order to Show Cause,,,,, Steven Donziger, The Law Offices of Steven R. Donziger, and Donziger & Associates, PLLC's Reply In Support Of Application By Order To Show Cause Why They Should Not Be Permitted to Intervene In The Declaratory Judgment Claim Pursuant to Fed. R. Civ. P. 24. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Keker, John) (Entered: 05/16/2011)
05/17/2011	<u>320</u>	MOTION to Dismiss <i>Amended complaint</i> . Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc..(Krause, Stuart) (Entered: 05/17/2011)
05/17/2011	<u>321</u>	DECLARATION of Benjamin H. Green in Support re: <u>320</u> MOTION to Dismiss <i>Amended complaint</i> .. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Attachments: # <u>1</u> Exhibit A)(Krause, Stuart) (Entered: 05/17/2011)
05/17/2011	<u>322</u>	MEMORANDUM OF LAW in Support re: <u>320</u> MOTION to Dismiss <i>Amended complaint</i> .. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Krause, Stuart) (Entered: 05/17/2011)
05/18/2011	<u>323</u>	NOTICE of Joinder in Support of Defendants Steven Donziger's, The Law Offices of Steven R. Donziger's and Donziger & Associates, PLLC'S Application by Order to Show Cause Why They Should Not be Permitted to Intervene in the Declaratory Judgment Claim Pursuant to Fed. R. Civ. P. 24. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) (Entered: 05/18/2011)
05/18/2011	<u>324</u>	MEMORANDUM OF LAW in Opposition re: <u>302</u> MOTION to Dismiss ( <i>Notice of Motion to Dismiss Chevron Corporation's Amended Complaint</i> ).. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 05/18/2011)
05/25/2011	<u>325</u>	REPLY MEMORANDUM OF LAW in Support re: <u>302</u> MOTION to Dismiss ( <i>Notice of Motion to Dismiss Chevron Corporation's Amended Complaint</i> ).. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Keker, John) (Entered: 05/25/2011)
05/26/2011	<u>326</u>	ORDER: Defendant Donziger earlier today submitted a proposed order to show cause why discovery should not be stayed pending this Court's decision on his motion to intervene on Count 9, which has been fully submitted for about a week. The proposed order, if signed, would have required that opposing papers be served no later than May 31. The Court conducted a conference call with counsel for all

		parties this afternoon. As the Court understands it, none of the noticed discovery is scheduled to occur before June 3. The Court presently anticipates ruling on the intervention motion in advance of that date. The question of a stay of discovery pending that ruling therefore is likely to be academic. In all the circumstances, the Court declines to sign the proposed order to show cause. Should circumstances change, Donziger is free to renew the application next week. (Signed by Judge Lewis A. Kaplan on 5/26/2011) (tro) (Entered: 05/26/2011)
05/26/2011		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Status Conference held on 5/26/2011. Court Reporter Vincent Bologna present. (mbe) (Entered: 05/31/2011)
05/31/2011	<u>327</u>	MEMORANDUM OPINION: #100386 Donzigers motion to intervene [DI 292] is granted to the limited extent, and on the limited basis, set forth above. It is denied in all other respects. The Court, however, retains flexibility over the scope of intervention to ensure that it does not unduly delay the resolution of the Count 9 Action or prejudice the parties. It stands ready to consider changes to this order, should circumstances warrant, as the matter proceeds. (Signed by Judge Lewis A. Kaplan on 5/31/2011) (tro) Modified on 6/1/2011 (ajc). (Entered: 05/31/2011)
05/31/2011	<u>328</u>	ORDER: Count 9 of the amended complaint is hereby severed from the remainder of the action pursuant to Fed. R. Civ. P. 21 and shall proceed as a separate action. The plaintiff in the Count 9 Action is Chevron Corporation. The defendants are the forty-seven individuals listed in Appendix A to the amended complaint in No. 11 Civ. 0691 (LAK) and Frente de Defensa de la Amazonia a/k/a Amazon Defense Front. The intervenors the Danziger Defendants. The Clerk shall assign a separate docket number to the Count 9 Action, the caption of which shall include the parties listed in paragraph 1 of this order. The short form of that caption shall be as further set forth in this Order. All decisions, orders and rulings and other determinations heretofore made in 11 Civ. 0691 (LAK), including without limitation the certificate of default, the preliminary injunction and the scheduling order, shall remain in effect in the Count 9 Action. The Danziger Defendants are excused from filing a proposed pleading in intervention. (Signed by Judge Lewis A. Kaplan on 5/31/2011) (tro) (Entered: 05/31/2011)
05/31/2011	<u>329</u>	ORDER: The filing fee for the previously ordered [DI 328] separate docket number for the Count 9 Action is hereby waived. (Signed by Judge Lewis A. Kaplan on 5/31/2011) (tro) (Entered: 05/31/2011)
05/31/2011	<u>330</u>	MOTION to Strike – <i>CHEVRON CORPORATION'S NOTICE OF MOTION AND MOTION FOR PARTIAL JUDGMENT ON THE PLEADINGS REGARDING CERTAIN DEFENSES ASSERTED BY DEFENDANTS STEVEN DONZIGER, THE LAW OFFICES OF STEVEN DONZIGER, DONZIGER &amp; ASSOCIATES, PLLC, HUGO GERARDO CAMACHO NARANJO, AND JAVIER PIAGUAJE PAYAGUAJE OR, IN THE ALTERNATIVE, TO STRIKE THOSE DEFENSES.</i> Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 05/31/2011)
05/31/2011	<u>331</u>	MEMORANDUM OF LAW in Support re: <u>330</u> MOTION to Strike – <i>CHEVRON CORPORATION'S NOTICE OF MOTION AND MOTION FOR PARTIAL JUDGMENT ON THE PLEADINGS REGARDING CERTAIN DEFENSES ASSERTED BY DEFENDANTS STEVEN DONZIGER, THE LAW OFFICES OF STEVEN DONZIGER, DONZIGER &amp; ASSOCIATES, PLLC, HUGO.</i> Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 05/31/2011)
06/03/2011	<u>332</u>	NOTICE OF APPEAL from <u>327</u> Memorandum Opinion. Document filed by Steven Donziger, The Law Offices of Steven R. Donziger. Filing fee \$ 455.00, receipt number 465401008316. (nd) (Entered: 06/03/2011)
06/03/2011		Transmission of Notice of Appeal to the District Judge re: <u>332</u> Notice of Appeal. (nd) (Entered: 06/03/2011)
06/03/2011		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>332</u> Notice of Appeal. (nd) (Entered: 06/03/2011)
06/03/2011		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>239</u> Rule 26(f) Discovery Plan Report filed by Ann Maest, Douglas Beltman, Stratus Consulting, Inc., Stratus Consulting, Inc., <u>240</u>

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		<p><i>Donziger, <u>300</u> Declaration in Opposition filed by Chevron Corporation, <u>322</u> Memorandum of Law in Support of Motion filed by Ann Maest, Douglas Beltman, Stratus Consulting, Inc., <u>285</u> Memorandum of Law in Support filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>303</u> Memorandum of Law in Support of Motion, filed by Donziger &amp; Associates, PLLC, The Law Offices of Steven R. Donziger, Steven Donziger, <u>264</u> Letter filed by Steven Donziger, <u>257</u> Rule 7.1 Corporate Disclosure Statement filed by Ann Maest, Douglas Beltman, Stratus Consulting, Inc., <u>315</u> Notice (Other) filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>275</u> Response, filed by Chevron Corporation, <u>306</u> Declaration in Support, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>314</u> USCA Order – Other,, <u>287</u> Declaration in Support,, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>256</u> Declaration in Support filed by Chevron Corporation, <u>329</u> Order, <u>262</u> Supplemental ROA Sent to USCA – Index, <u>263</u> Order, <u>324</u> Memorandum of Law in Opposition to Motion filed by Chevron Corporation, <u>331</u> Memorandum of Law in Support of Motion, filed by Chevron Corporation, <u>320</u> MOTION to Dismiss Amended complaint. filed by Ann Maest, Douglas Beltman, Stratus Consulting, Inc., <u>326</u> Order, Set Deadlines,,,,, <u>280</u> Order, <u>310</u> Memorandum &amp; Opinion,, <u>297</u> Memorandum of Law in Opposition filed by Chevron Corporation, <u>328</u> Order,,,, <u>298</u> Declaration in Opposition,, filed by Chevron Corporation, <u>311</u> Answer to Amended Complaint filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo were transmitted to the U.S. Court of Appeals. (nd) (Entered: 06/03/2011)</i></p>
06/03/2011	<u>333</u>	<p>MEMORANDUM OF LAW in Opposition re: <u>320</u> MOTION to Dismiss Amended complaint.. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 06/03/2011)</p>
06/03/2011	<u>334</u>	<p>CERTIFICATE OF SERVICE of Chevron Corporation's Notice of Motion for Partial Judgment on the Pleadings Regarding Certain Defenses Asserted by Defendants Steven Donziger, the Law Offices of Steven Donziger, Donziger &amp; Associates, PLLC, Hugo Gerardo Camacho Naranjo, and Javier Piaguaje Payaguaje or, in the Alternative, to Strike Those Defenses, and the supporting memorandum served on Defendants Hugo Gerardo Camacho Naranjo, and Javier Piaguaje Payaguaje, Steven Donziger, The Law Offices of Steven Donziger, and Donziger &amp; Associates PLLC on 06/01/2011. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Mastro, Randy) (Entered: 06/03/2011)</p>
06/07/2011	<u>335</u>	<p>ORDER – Until further notice, the procedure for applications for orders to show cause in these actions shall be as follows: 1) The proposed order to show cause and all papers in support of the order to show cause (including without limitation affidavits, declarations, exhibits and memoranda of law) shall be filed electronically through the ECF system, and the movant shall notify chambers of the filing by telephone. The filer shall use the Motion to Show Cause event code for the proposed order to show cause itself. 2) The movant shall deliver the originals and two copies of the proposed order to show cause and supporting papers to chambers at substantially the same time. (Signed by Judge Lewis A. Kaplan on 6/7/2011) (ab) (Entered: 06/07/2011)</p>
06/07/2011	<u>336</u>	<p>AMENDED NOTICE OF APPEAL re: <u>332</u> Notice of Appeal, <u>327</u> Memorandum Opinion,,. Document filed by Steven Donziger, Donziger &amp; Associates, PLLC, The Law Offices of Steven R. Donziger. (nd) (Entered: 06/07/2011)</p>
06/07/2011		<p>Transmission of Amended Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>336</u> Amended Notice of Appeal. (nd) (Entered: 06/07/2011)</p>
06/13/2011	<u>337</u>	<p>STIPULATION AND ORDER: It is hereby stipulated and agreed by and between the parties that the time for defendants Stratus Consulting, Inc., Ann Maest and Douglas Beltman to reply to plaintiff's opposition to the Stratus Defendants' motion to dismiss plaintiff's amended complaint is extended to and including June 17, 2011. (Signed by Judge Lewis A. Kaplan on 6/13/2011) (jpo) (Entered: 06/13/2011)</p>
06/14/2011		<p>***DELETED DOCUMENT. Deleted document number <u>338</u> MEMORANDUM OF LAW. The document was incorrectly filed in this case. (ae) (Entered: 06/14/2011)</p>

		06/14/2011)
06/17/2011	<u>338</u>	Letter addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 5/31/2011 re: Counsel for the Plaintiff writes to request that the Count 9 may proceed to trial without the unnecessary delays and complications of the discovery process threatened by the LAP Representatives' assertion of meritless defenses, Chevron requests that the Court set an early hearing on its motion. Document filed by Chevron Corporation. (ab) (Entered: 06/17/2011)
06/17/2011	<u>339</u>	Letter addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 5/31/2011 re: Counsel for the Plaintiff writes to request that the Count 9 may proceed to trial without the unnecessary delays and complications of the discovery process threatened by the LAP Representatives' assertion of meritless defenses, Chevron requests that the Court set an early hearing on its motion. Document filed by Chevron Corporation. (ab) (Entered: 06/17/2011)
06/17/2011	<u>340</u>	REPLY MEMORANDUM OF LAW in Support re: <u>320</u> MOTION to Dismiss <i>Amended complaint</i> .. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Krause, Stuart) (Entered: 06/17/2011)
06/21/2011	<u>341</u>	AMENDED ANSWER to <u>283</u> Amended Complaint,,,,,, with JURY DEMAND. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) (Entered: 06/21/2011)
06/28/2011	<u>342</u>	MEMO ENDORSEMENT ON STEVEN DONZIGER'S AND THE LAW OFFICES OF STEVEN R. DONZIGER'S NOTICE OF MOTION TO DISMISS CHEVRON'S COMPLAINT. ENDORSEMENT: Donziger's motion to dismiss the complaint [DI 242] was mooted by the subsequent filing of an amended complaint [DI 283], which Donziger has moved to dismiss [DI 302] as well. Accordingly, the motion to dismiss the complaint [DI 242] is denied as moot. (ORDER denying <u>242</u> Motion to Dismiss) (Signed by Judge Lewis A. Kaplan on 6/28/11) (dj) (Entered: 06/28/2011)
06/28/2011	<u>343</u>	MEMORANDUM OPINION re: (40 in 1:11-cv-03718-LAK -JCF) MOTION to Compel Pablo Fajardo Mendoza, Juan Pablo Senz, Julio Prieto Mndez, and Luis Yanza to appear for deposition filed by Chevron Corporation. For the foregoing reasons, plaintiff's motion to compel [DI 40] is denied. (Signed by Judge Lewis A. Kaplan on 6/28/2011) (tro) (Entered: 06/28/2011)
06/29/2011	<u>344</u>	ORDER; that the Opinion dated May 31, 2011 [DI327] is corrected in the following respects: Page 9, carryover paragraph, line 7: Delete first "acting." Page 9, first full paragraph, line 1: Change "with" to "of." (Signed by Judge Lewis A. Kaplan on 6/29/11) (pl) (Entered: 06/29/2011)
07/19/2011	<u>345</u>	TRANSCRIPT of Proceedings re: Conference held on 5/26/2011 before Judge Lewis A. Kaplan. Court Reporter/Transcriber: Vincent Bologna, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/12/2011. Redacted Transcript Deadline set for 8/22/2011. Release of Transcript Restriction set for 10/20/2011.(McGuirk, Kelly) (Entered: 07/19/2011)
07/19/2011	<u>346</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Conference proceeding held on 5/26/11 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 07/19/2011)
07/29/2011	<u>347</u>	NOTICE OF CHANGE OF ADDRESS by Elliot Remsen Peters on behalf of Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. New Address: Kecker & Van Nest LLP, 633 Battery Street, San Francisco, California, U.S.A. 94111, 415-391-5400. (Peters, Elliot) (Entered: 07/29/2011)

08/17/2011	<u>348</u>	MEMORANDUM OPINION re: (49 in 1:11-cv-03718-LAK -JCF) MOTION to Strike CHEVRON CORPORATION'S NOTICE OF MOTION AND MOTION FOR PARTIAL JUDGMENT ON THE PLEADINGS REGARDING CERTAIN DEFENSES ASSERTED BY DEFENDANTS STEVEN DONZIGER, THE LAW OFFICES OF STEVEN DONZIGER, DONZIGER & ASSOCIATES, PLLC, HUGO G filed by Chevron Corporation, (42 in 1:11-cv-03718-LAK -JCF) MOTION for Leave to File Amended Answer to Amended Complaint, Separate Defenses and Jury Trial Demand filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo. For the foregoing reasons, (1) the LAP Representatives amended answer to the amended complaint, improperly filed without leave of Court [DI 63] is stricken; (2) the LAP Representatives motion for leave to file an amended answer to the amended complaint [DI 42] is granted. Chevrons motion for judgment on the pleadings dismissing certain defenses of the LAPs answer to the amended complaint or for other relief [DI 49] is deemed applicable to the amended answer to the amended complaint and granted to the extent that the twenty-eighth and thirty-first defenses and so much of the thirtieth defense as is (a) based upon anything other than the points noted in the text and (b) addressed to anything other than Chevrons claim for injunctive is granted. The latter motion is otherwise denied. These rulings are made only with respect to Action No. 2 and thus do not resolve this motion with respect to Donzigers defenses because he is not a party to this action. To the extent, if any, that these issues are pertinent to Action No. 1, the Court reserves decision. (Signed by Judge Lewis A. Kaplan on 8/17/2011) (mro) (Entered: 08/17/2011)
08/18/2011	<u>349</u>	MANDATE of USCA (Certified Copy) as to <u>332</u> Notice of Appeal filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>336</u> Amended Notice of Appeal filed by Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger, Steven Donziger USCA Case Number 11-2260-cv. Appellants Steven R. Donziger and The Law Offices of Steven R. Donziger, through counsel, moveto expedite the appeal docketed under 11-2260-cv, and to consolidate that appeal with the appeals docketed under 11-1150-cv(L) and 11-1264-cv(con). Appellee, through counsel, moves to dismiss the appeal docketed under 11-2260-cv for lack of jurisdiction. Upon due consideration, it is hereby ORDERED that Appellees motion is GRANTED and the appeal docketed under 11-2260-cv is DISMISSED. See Stringfellow v. Concerned Neighbors in Action, 480 U.S. 370 (1987); Eng v. Coughlin, 865 F.2d 521 (2d Cir. 1989). By virtue of their permissive intervention, Appellants can obtain adequate review of their claims on appeal from a final judgment, thus foreclosing any argument that the present appeal fits within the collateral order doctrine. Insofar as Appellants alternatively seek to couch the present appeal as sounding in mandamus, it is further ORDERED that mandamus relief is DENIED. See Cheney v. U.S. Dist. Court for Dist. of Columbia, 542 U.S. 367, 380-81 (2004). It is therefore ORDERED that Appellants motion is DENIED as moot. Lastly, it is further ORDERED that Appellants motion to stay the proceedings in the district court pending our resolution of this appeal is DENIED as moot. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 8/18/2011. (tp) (Entered: 08/18/2011)
08/18/2011		Transmission of USCA Mandate/Order to the District Judge re: <u>349</u> USCA Mandate.(tp) (Entered: 08/18/2011)
08/24/2011	<u>350</u>	AMENDED ANSWER to with JURY DEMAND. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Gomez, Julio) (Entered: 08/24/2011)
09/19/2011	<u>351</u>	TRUE COPY ORDER of USCA as to <u>233</u> Notice of Appeal, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo USCA Case Number 11-1150-cv(L); 11-1264-cv(con); 11-2259-cv(con). Upon due consideration, it is hereby ORDERED that the mandamus petition, docketed under 11-2259-op is DENIED. IT IS FURTHER ORDERED that in the appeal form the issuance of a preliminary injunction issued in <i>Chevron Corp v. Donziger</i> , 768 F. Supp. 2d 58a, 660 (S.D.N.Y. 2011), docketed in this Court under 11-1150-cv, the preliminary injunction issued by the District Court on Marcy 7, 2011 is VACATED in its entirety upon entry of this Order. IT IS FURTHER ORDERED that the motion for a stay of the District Court's proceedings on Count 9 of the Complaint, renewed by counsel at oral argument before this Court on Sep. 16, 2011 is GRANTED. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified:

		9/19/2011. (nd) (Entered: 09/20/2011)
09/20/2011		Transmission of USCA Mandate/Order to the District Judge re: <u>351</u> USCA Order,,, (nd) (Entered: 09/20/2011)
10/20/2011	<u>352</u>	MANDATE of USCA (Certified Copy) as to <u>250</u> Notice of Appeal filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>233</u> Notice of Appeal, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo USCA Case Number 11-1150-cv(L), 11-1264-cv(con), 11-2259-op(con). Petitioners Hugo Gerardo Camacho Naranjo and Javier Piaguaje, through counsel, petition this Court for a writ of mandamus, seeking to compel the recusal of District Court Judge Lewis A. Kaplan. Upon due consideration, it is hereby ORDERED that the mandamus petition is DENIED. IT IS FURTHER ORDERED that the appeal from the issuance of a preliminary injunction issued, docketed in this Court under 11-1150-cv, the preliminary injunction issued by the District Court on March 7, 2011 is VACATED in its entirety upon entry of this Order. IT IS FURTHER ORDERED that the motion for a stay of the District Court's proceedings on Count 9 of the Complaint, renewed by counsel at oral argument before this Court on September 16, 2011, is GRANTED. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 10/20/2011. (nd) (Entered: 10/21/2011)
10/21/2011		Transmission of USCA Mandate/Order to the District Judge re: <u>352</u> USCA Mandate,,,, (nd) (Entered: 10/21/2011)
11/29/2011	<u>353</u>	MOTION for Attachment Defendants' Assets / <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR AN ORDER OF ATTACHMENT AND OTHER RELIEF</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Text of Proposed Order)(Mastro, Randy) (Entered: 11/29/2011)
11/29/2011	<u>354</u>	MEMORANDUM OF LAW in Support re: <u>353</u> MOTION for Attachment Defendants' Assets / <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR AN ORDER OF ATTACHMENT AND OTHER RELIEF</i> .. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 11/29/2011)
11/29/2011	<u>355</u>	DECLARATION of Kristen L. Hendricks in Support re: <u>353</u> MOTION for Attachment Defendants' Assets / <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR AN ORDER OF ATTACHMENT AND OTHER RELIEF</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1000 to 1010, # <u>2</u> Exhibit 1011 to 1022, # <u>3</u> Exhibit 1023, Part 1, # <u>4</u> Exhibit 1023, Part 2, # <u>5</u> Exhibit 1023, Part 3, # <u>6</u> Exhibit 1024, # <u>7</u> Exhibit 1025, # <u>8</u> Exhibit 1026, # <u>9</u> Exhibit 1027, # <u>10</u> Exhibit 1028, # <u>11</u> Exhibit 1029, # <u>12</u> Exhibit 1030, # <u>13</u> Exhibit 1031, # <u>14</u> Exhibit 1032, # <u>15</u> Exhibit 1033, Part 1, # <u>16</u> Exhibit 1033, Part 2, # <u>17</u> Exhibit 1034 to 1037, # <u>18</u> Exhibit 1038, # <u>19</u> Exhibit 1039, # <u>20</u> Exhibit 1040, Part 1, # <u>21</u> Exhibit 1040, Part 2, # <u>22</u> Exhibit 1041 to 1044, # <u>23</u> Exhibit 1045, # <u>24</u> Exhibit 1046, # <u>25</u> Exhibit 1047 to 1060, # <u>26</u> Exhibit 1061 to 1075, # <u>27</u> Exhibit 1076 to 1085, # <u>28</u> Exhibit 1086 to 1095, # <u>29</u> Exhibit 1096, # <u>30</u> Exhibit 1097, # <u>31</u> Exhibit 1098, # <u>32</u> Exhibit 1099 to 1106, # <u>33</u> Exhibit 1107 to 1111, # <u>34</u> Exhibit 1112, # <u>35</u> Exhibit 1113, # <u>36</u> Exhibit 1114 to 1119, # <u>37</u> Exhibit 11120 to 1124, # <u>38</u> Exhibit 1125 to 1132, # <u>39</u> Exhibit 1133 to 1143, # <u>40</u> Exhibit 1144, # <u>41</u> Exhibit 1145, # <u>42</u> Exhibit 1146, # <u>43</u> Exhibit 1147, # <u>44</u> Exhibit 1148 to 1152, # <u>45</u> Exhibit 1153 to 1163, # <u>46</u> Exhibit 1164 to 1168)(Mastro, Randy) (Entered: 11/29/2011)
11/29/2011	<u>356</u>	DECLARATION of Kristen L. Hendricks in Support re: <u>353</u> MOTION for Attachment Defendants' Assets / <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR AN ORDER OF ATTACHMENT AND OTHER RELIEF</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C - Part 1, # <u>4</u> Exhibit C - Part 2, # <u>5</u> Exhibit C - Part 3, # <u>6</u> Exhibit C - Part 4, # <u>7</u> Exhibit C - Part 5, # <u>8</u> Exhibit C - Part 6, # <u>9</u> Exhibit D to Z, # <u>10</u> Exhibit AA to AZ, # <u>11</u> Exhibit BA to BB, # <u>12</u> Exhibit BC to BZ, # <u>13</u> Exhibit CA to CZ, # <u>14</u> Exhibit DA to DM, # <u>15</u> Exhibit DN, # <u>16</u> Exhibit DO to DZ, # <u>17</u> Exhibit EA to EO, # <u>18</u> Exhibit EP to EZ)(Mastro, Randy) (Entered: 11/29/2011)
11/29/2011	<u>357</u>	CERTIFICATE OF SERVICE of CHEVRON CORPORATION'S NOTICE OF MOTION FOR AN ORDER OF ATTACHMENT AND OTHER RELIEF, PROPOSED ORDER, MEMORANDUM OF LAW IN SUPPORT, DECLARATION OF KRISTEN L. HENDRICKS and SUPPLEMENTAL



		DECLARATION OF KRISTEN L. HENDRICKS served on defendants on 11/29/2011. Service was made by Hand Delivery. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 11/29/2011)
11/30/2011	<u>358</u>	ORDER: On November 29, 2011, Chevron filed a motion for an order of attachment and other relief [DI 354]. In the event that the motion is opposed, the Court anticipates that arguments in opposition will overlap substantially with arguments made previously in motions to dismiss filed by defendant Donziger and the Stratus defendants. [DI 302, DI 320]. Any papers in opposition to this motion shall avoid repetition of, but may incorporate by reference, arguments already before the Court on the Donziger and Stratus motions. (Signed by Judge Lewis A. Kaplan on 11/30/2011) (pl) Modified on 11/30/2011 (pl). (Entered: 11/30/2011)
11/30/2011	<u>359</u>	NOTICE OF CHANGE OF ADDRESS by Carlos A. Zelaya, II on behalf of Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. New Address: Mumphrey Law Firm, L.L.C., 330 Oak Harbor Blvd., Suite D, Slidell, LA, 70458, 985-649-0709. (Zelaya, Carlos) (Entered: 11/30/2011)
12/06/2011	<u>360</u>	MOTION for Carlos A. Zelaya, II to Withdraw as Attorney. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Zelaya, Carlos) (Entered: 12/06/2011)
12/06/2011	<u>361</u>	AFFIDAVIT of Carlos A. Zelaya, II in Support re: <u>360</u> MOTION for Carlos A. Zelaya, II to Withdraw as Attorney.. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Zelaya, Carlos) (Entered: 12/06/2011)
12/07/2011	<u>362</u>	MEMO ENDORSEMENT on MOTION TO WITHDRAW AS ATTORNEY. ENDORSEMENT: Granted. So ordered. Granting <u>360</u> Motion to Withdraw as Attorney. Attorney Carlos A. Zelaya, II terminated. (Signed by Judge Lewis A. Kaplan on 12/6/2011) (rjm) (Entered: 12/07/2011)
12/12/2011	<u>363</u>	NOTICE OF APPEARANCE by Tyler Geoffrey Doyle on behalf of Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje (Doyle, Tyler) (Entered: 12/12/2011)
12/13/2011	<u>364</u>	MEMORANDUM OF LAW in Opposition re: <u>353</u> MOTION for Attachment Defendants' Assets / <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR AN ORDER OF ATTACHMENT AND OTHER RELIEF</i> .. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Attachments: # <u>1</u> Exhibit A)(Krause, Stuart) (Entered: 12/13/2011)
12/13/2011	<u>365</u>	RESPONSE in Opposition re: <u>353</u> MOTION for Attachment Defendants' Assets / <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR AN ORDER OF ATTACHMENT AND OTHER RELIEF</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Text of Proposed Order)(Doyle, Tyler) (Entered: 12/13/2011)
12/13/2011	<u>366</u>	DECLARATION of Tyler G. Doyle in Opposition re: <u>353</u> MOTION for Attachment Defendants' Assets / <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR AN ORDER OF ATTACHMENT AND OTHER RELIEF</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Exhibit S, # <u>20</u> Exhibit T, # <u>21</u> Exhibit U, # <u>22</u> Exhibit V, # <u>23</u> Exhibit W, # <u>24</u> Exhibit X, # <u>25</u> Exhibit Y, # <u>26</u> Exhibit Z, # <u>27</u> Exhibit AA, # <u>28</u> Exhibit BB, # <u>29</u> Exhibit CC, # <u>30</u> Exhibit DD, # <u>31</u> Exhibit EE, # <u>32</u> Exhibit FF, # <u>33</u> Exhibit GG, # <u>34</u> Exhibit HH, # <u>35</u> Exhibit II, # <u>36</u> Exhibit JJ, # <u>37</u> Exhibit KK, # <u>38</u> Exhibit LL)(Doyle, Tyler) (Entered: 12/13/2011)
12/14/2011	<u>367</u>	CERTIFICATE OF SERVICE of Opposition and Declaration served on all counsel of record on 12/14/2011. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 12/14/2011)



12/15/2011	<u>368</u>	MEMO ENDORSEMENT on Motion to Withdraw as Attorney: Carlos A. Zelaya, II is no longer affiliated with F. Gerald Maples, P.A., and therefore moves to withdraw his appearance as counsel for Javier Piaguaje Payaguaje and Hugo Gerardo Camacho Naranjo in the above-captioned action. Messrs. Piaguaje Payaguaje and Camacho Naranjo continue to be represented by Gomez LLC, Smyser, Kaplan and F. Gerald Maples, P.A., and this Notice is being served on the parties through those counsel. This proceeding is presently stayed. (Signed by Judge Lewis A. Kaplan on 12/15/2011) (ae) (Entered: 12/15/2011)
12/20/2011	<u>369</u>	REPLY MEMORANDUM OF LAW in Support re: <u>353</u> MOTION for Attachment Defendants' Assets / <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR AN ORDER OF ATTACHMENT AND OTHER RELIEF.</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 12/20/2011)
12/20/2011	<u>370</u>	DECLARATION of Mary Beth Maloney in Support re: <u>353</u> MOTION for Attachment Defendants' Assets / <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR AN ORDER OF ATTACHMENT AND OTHER RELIEF.</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit Exhibits 1169 to 1172, # <u>2</u> Exhibit Exhibit 1173, # <u>3</u> Exhibit Exhibits 1174 to 1182, # <u>4</u> Exhibit Exhibit 1183, Part 1, # <u>5</u> Exhibit Exhibit 1183, Part 2, # <u>6</u> Exhibit Exhibits 1184 to 1200, # <u>7</u> Exhibit Exhibits 1201 to 1210, # <u>8</u> Exhibit Exhibits 1211 to 1225, # <u>9</u> Exhibit Exhibits 1226 to 1231, # <u>10</u> Exhibit Exhibits 1232 to 1237)(Mastro, Randy) (Entered: 12/20/2011)
12/23/2011	<u>371</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 12/22/2011 re: Counsel for Plaintiff requests that part of Exhibit 1182 of transcript pages 252 and 287-88 (Doc. #370) be "formally sealed by the Court," as provided for by Section 21.8 of the S.D.N.Y.'s ECF handbook. ENDORSEMENT: Granted. (Signed by Judge Lewis A. Kaplan on 12/23/2011) (ae) (Entered: 12/23/2011)
12/29/2011	<u>372</u>	MOTION for Leave to File Sur Reply to Motion for Attachment <i>and Other Relief.</i> . Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Javier Piaguaje Payaguaje.(Doyle, Tyler) (Entered: 12/29/2011)
12/29/2011	<u>373</u>	RESPONSE in Opposition re: <u>353</u> MOTION for Attachment Defendants' Assets / <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR AN ORDER OF ATTACHMENT AND OTHER RELIEF.</i> <i>Sur-Reply.</i> Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 12/29/2011)
12/29/2011	<u>374</u>	MOTION to Strike Document No. [355, 356, 370] <i>Declarations of Hendricks and Maloney.</i> Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Javier Piaguaje Payaguaje.(Doyle, Tyler) (Entered: 12/29/2011)
01/03/2012	<u>375</u>	MEMORANDUM OF LAW in Opposition re: <u>372</u> MOTION for Leave to File Sur Reply to Motion for Attachment <i>and Other Relief.</i> ., <u>374</u> MOTION to Strike Document No. [355, 356, 370] <i>Declarations of Hendricks and Maloney.</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 01/03/2012)
01/05/2012	<u>376</u>	RESPONSE in Support re: <u>372</u> MOTION for Leave to File Sur Reply to Motion for Attachment <i>and Other Relief.</i> ., <u>374</u> MOTION to Strike Document No. [355, 356, 370] <i>Declarations of Hendricks and Maloney.</i> <i>Reply in Further Support.</i> Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 01/05/2012)
01/06/2012	<u>377</u>	MEMORANDUM AND OPINION re:#101267 <u>353</u> MOTION for Attachment Defendants' Assets / <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR AN ORDER OF ATTACHMENT AND OTHER RELIEF</i> filed by Chevron Corporation. For the foregoing reason, Chevrons motion for an order of attachment and other relief [DI 353] is denied. Insofar as this order declines to lift the stay of proceedings in this action, it is without prejudice to renewal following the Circuits ruling on Chevrons pending motion in No. 11-1150 and receipt of a certified translation of the Ecuadorian appellate decision. (Signed by Judge Lewis A. Kaplan on 1/6/2012) (mro) Modified on 1/11/2012 (jab). (Entered: 01/06/2012)

01/06/2012	<u>378</u>	ORDER denying as moot <u>372</u> Motion for Leave to File Document; denying as moot <u>374</u> Motion to Strike. The motions of certain defendants for leave to file a sur reply to the motion for an order of attachment [DI 372] and to strike certain documents [DI 374] are denied as moot. In any case, they lacked merit. (Signed by Judge Lewis A. Kaplan on 1/6/2012) (mro) (Entered: 01/06/2012)
01/06/2012	<u>379</u>	DECLARATION of Anne Champion regarding the January 3, 2012 Ecuadorian Appellate Court Judgment. (mro) (Entered: 01/06/2012)
01/06/2012	<u>380</u>	Letter addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 1/5/12 re: Counsel for the Plaintiff Chevron Corporation writes to request immediate entry of a temporary restraining order barring Defendants, their agents, employees, and attorneys from transferring any interest in the Ecuadorian judgment or seeking to convert it into proceeds, until Your Honor rules on Chevron's fully-submitted Motion for Attachment, pursuant to New York Civil Practice Law and Rules 6210 and Federal Rule of Civil Procedure 64. Document filed by Chevron Corporation.(mro) (Entered: 01/06/2012)
01/06/2012	<u>381</u>	Letter addressed to Judge Lewis A. Kaplan from Craig Smyser dated 1/6/12 re: Counsel writes to state that Chevron is not entitled to attachment, much less entry of the temporary restraining order requested in Chevron's January 5, 2012 letter to the Court. (mro) (Entered: 01/06/2012)
01/06/2012	<u>382</u>	NOTICE of Decision in Related Proceeding. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 01/06/2012)
01/07/2012	<u>383</u>	NOTICE of Lodging of Certified Translation of Ecuadorian Appellate Judgment. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A)(Mastro, Randy) (Entered: 01/07/2012)
01/15/2012	<u>384</u>	NOTICE of LODGING OF ECUADORIAN APPELLATE DETERMINATION. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A)(Mastro, Randy) (Entered: 01/15/2012)
01/27/2012	<u>385</u>	TRUE COPY OPINION of USCA as to <u>250</u> Notice of Appeal filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>233</u> Notice of Appeal, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo USCA Case Number 11-1150-cv(L), 11-1264-cv(con). Accordingly, for the foregoing reason and consistent with our September 19, 201 order, the judgment of the District Court is REVERSED and the preliminary injunction VACATED. WE REMAND to the District Court with the instructions to DISMISS Chevron's claim for injunctive and declaratory relief under the Recognition Act in its entirety. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 01/26/2012. (nd) (Entered: 01/27/2012)
02/02/2012	<u>386</u>	MOTION for Jessica R. Torbin to Withdraw as Attorney of Record. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Torbin, Jessica) (Entered: 02/02/2012)
02/02/2012	<u>387</u>	CERTIFICATE OF SERVICE of Motion for Withdrawal served on see Certificate on 2/2/12. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Torbin, Jessica) (Entered: 02/02/2012)
02/06/2012	<u>388</u>	ORDER granting <u>386</u> Motion to Withdraw as Attorney. Attorney Jessica R. Torbin terminated. (Signed by Judge Lewis A. Kaplan on 2/06/2012) (ama) (Entered: 02/06/2012)
02/16/2012	<u>389</u>	ORDER: The parties shall meet and confer no later than February 29, 2012, a date on which defense counsel have indicated that they are available, with respect to proposed discovery, scheduling and further proceedings. On or before March 7, 2012, they shall file a joint report indicating any agreements reached and any areas of disagreement. The joint report shall not exceed 15 double spaced pages. The stay of proceedings entered on April 15, 2011 is vacated. While the parties henceforth may propound discovery requests and may assert any objections to any requests propounded, deposition testimony shall not be given, nor interrogatories and requests for admissions substantively answered (save for the assertion of any objections), nor requested or subpoenaed documents produced pending further

		order of the Court. On or before March 7, 2012, the parties shall provide the Court with an agreed translation of the decision and any subsequent rulings of the Provincial Court in Ecuador. If full agreement cannot be reached as to any part of any translation, they shall specifically identify the disputed portion(s) of the Spanish language documents. On or before March 7, 2012, the parties shall file a complete joint report as to the status of court proceedings in Ecuador, including the enforceability in Ecuador of the judgment and the status of any further appellate proceedings. To the extent, if any, that they cannot agree, they shall file their separate positions and supporting material with respect to their differences. The Court will notify counsel if it concludes that a conference would be useful. (Signed by Judge Lewis A. Kaplan on 2/16/2012) (mro) (Entered: 02/16/2012)
02/16/2012	<u>390</u>	MANDATE of USCA (Certified Copy) as to <u>250</u> Notice of Appeal filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>332</u> Notice of Appeal filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>336</u> Amended Notice of Appeal filed by Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger, Steven Donziger USCA Case Number 11-1150-cv(L), 11-1264-cv(con). Ordered, Adjudged and Decreed that the preliminary injunction of the District Court is VACATED and REMANDED to the District Court with instructions in accordance with the opinion of this Court. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 02/16/2012. (nd) (Entered: 02/16/2012)
02/16/2012		Transmission of USCA Mandate/Order to the District Judge re: <u>390</u> USCA Mandate,, (nd) (Entered: 02/16/2012)
02/17/2012	<u>391</u>	MOTION for Recusal. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger.(Keker, John) (Entered: 02/17/2012)
02/21/2012	393	MOTION for Craig Smyser to Appear Pro Hac Vice. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(bwa) (Entered: 02/28/2012)
02/23/2012	394	MOTION for Christina A. Bryan to Appear Pro Hac Vice. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(arc) (Entered: 02/29/2012)
02/24/2012	<u>392</u>	MEMO ENDORSEMENT denying <u>391</u> Motion for Recusal: The motion is denied. See Chevron Corp. v. Danziger, 783 F. Supp.2d 713 (S.D.N.Y. 2011), mandamus denied sub nom., Chevron Corp. v. Naranjo, Nos. 11- 1150-cv(L), 11-1264-cv(con), 11- 2259-op(con), 2011 WL 4375022 (2d Cir. Sept. 19, 2011). The new suggestion that the Court of Appeals' decision, which vacated the preliminary injunction but denied the LAP Representatives' petition for a writ of mandamus requiring recusal, somehow nevertheless warrants recusal is untimely. Movants waited five months after the Court of Appeals decision before raising it for the first time in this motion. During that period, they actively litigated motions in this case, both defensively and offensively (DI 365-366, DI 372-74, DI 376), without raising the question. Neither the delay nor their conduct was consistent with raising the issue "as soon as the facts on which it is premised are known to the parties." See United States v. Bayless, 201 F.3d 116, 127 (2d Cir.), cert. denied, 529 U.S. 1061 (2000). Even if the suggestion were timely, its lack of merit would be apparent. (Signed by Judge Lewis A. Kaplan on 2/24/2012) (lmb) (Entered: 02/24/2012)
02/24/2012	395	MOTION for Larry R. Veselka to Appear Pro Hac Vice. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(bwa) (Entered: 02/29/2012)
02/27/2012	403	MOTION for Garland D. Murphy IV to Appear Pro Hac Vice. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(bwa) (Entered: 03/02/2012)
02/29/2012		CASHIERS OFFICE REMARK on 394 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 02/23/2012, Receipt Number 1030539. (jd) (Entered: 02/29/2012)
03/01/2012	<u>396</u>	MOTION for Summary Judgment <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT OR PARTIAL SUMMARY JUDGMENT</i>

		ON DEFENDANTS' AFFIRMATIVE DEFENSES OF RES JUDICATA AND COLLATERAL ESTOPPEL. Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 03/01/2012)
03/01/2012	<u>397</u>	MEMORANDUM OF LAW in Support re: <u>396</u> MOTION for Summary Judgment <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT OR PARTIAL SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSES OF RES JUDICATA AND COLLATERAL ESTOPPEL..</i> Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/01/2012)
03/01/2012	<u>398</u>	RULE 56.1 STATEMENT. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/01/2012)
03/02/2012	<u>399</u>	DECLARATION of Kari Endries in Support re: <u>396</u> MOTION for Summary Judgment <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT OR PARTIAL SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSES OF RES JUDICATA AND COLLATERAL ESTOPPEL..</i> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Mastro, Randy) (Entered: 03/02/2012)
03/02/2012	<u>400</u>	DECLARATION of Anne Champion in Support re: <u>396</u> MOTION for Summary Judgment <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT OR PARTIAL SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSES OF RES JUDICATA AND COLLATERAL ESTOPPEL..</i> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 2001 to 2010, # <u>2</u> Exhibit 2011 to 2020, # <u>3</u> Exhibit 2021 to 2040, # <u>4</u> Exhibit 2041 to 2049, # <u>5</u> Exhibit 2050, # <u>6</u> Exhibit 2051, # <u>7</u> Exhibit 2052, # <u>8</u> Exhibit 2053 to 2055, # <u>9</u> Exhibit 2056, # <u>10</u> Exhibit 2057 to 2067, # <u>11</u> Exhibit 2068 to 2076, # <u>12</u> Exhibit 2077 Part 1, # <u>13</u> Exhibit 2077 Part 2, # <u>14</u> Exhibit 2078 to 2086, # <u>15</u> Exhibit 2087 to 2094, # <u>16</u> Exhibit 2095 to 2110, # <u>17</u> Exhibit 2111 to 2117, # <u>18</u> Exhibit 2118, # <u>19</u> Exhibit 2119 to 2123, # <u>20</u> Exhibit 2124 to 2133, # <u>21</u> Exhibit 2134 to 2138, # <u>22</u> Exhibit 2139 to 2144, # <u>23</u> Exhibit 2145, # <u>24</u> Exhibit 2146 to 2147 Part 1, # <u>25</u> Exhibit 2146 to 2147 Part 2, # <u>26</u> Exhibit 2148 to 2151)(Mastro, Randy) (Entered: 03/02/2012)
03/02/2012	<u>401</u>	DECLARATION of Anne Champion in Support re: <u>396</u> MOTION for Summary Judgment <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT OR PARTIAL SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSES OF RES JUDICATA AND COLLATERAL ESTOPPEL..</i> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 2152 Part 1, # <u>2</u> Exhibit 2152 Part 2, # <u>3</u> Exhibit 2153, # <u>4</u> Exhibit 2154, # <u>5</u> Exhibit 2155 to 2170 Part 1, # <u>6</u> Exhibit 2155 to 2170 Part 2, # <u>7</u> Exhibit 2171 to 2180, # <u>8</u> Exhibit 2181 to 2190, # <u>9</u> Exhibit 2191, # <u>10</u> Exhibit 2192, # <u>11</u> Exhibit 2193 to 2200)(Mastro, Randy) Modified on 3/5/2012 (db). Modified on 3/6/2012 (db)(as per chambers). (Entered: 03/02/2012)
03/02/2012	<u>402</u>	DECLARATION of Anne Champion in Support re: <u>396</u> MOTION for Summary Judgment <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT OR PARTIAL SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSES OF RES JUDICATA AND COLLATERAL ESTOPPEL..</i> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 2201 to 2210, # <u>2</u> Exhibit 2211 to 2230, # <u>3</u> Exhibit 2231 to 2240, # <u>4</u> Exhibit 2241 to 2250, # <u>5</u> Exhibit 2251 to 2254, # <u>6</u> Exhibit 2255 to 2264, # <u>7</u> Exhibit 2265, # <u>8</u> Exhibit 2266, # <u>9</u> Exhibit 2267 to 2270, # <u>10</u> Exhibit 2271 to 2280, # <u>11</u> Exhibit 2281 to 2300, # <u>12</u> Exhibit 2301 to 2310, # <u>13</u> Exhibit 2311 to 2320, # <u>14</u> Exhibit 2321 to 2325, # <u>15</u> Exhibit 2326 to 2340, # <u>16</u> Exhibit 2341 to 2350, # <u>17</u> Exhibit 2351 to 2355, # <u>18</u> Exhibit 2356, # <u>19</u> Exhibit 2357, # <u>20</u> Exhibit 2358, # <u>21</u> Exhibit 2359, # <u>22</u> Exhibit 2360)(Mastro, Randy) Modified on 3/5/2012 (db). Modified on 3/6/2012 (db)(as per chambers). (Entered: 03/02/2012)
03/05/2012		CASHIERS OFFICE REMARK on 403 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 02/28/2012, Receipt Number 1031001. (jd) (Entered: 03/05/2012)



03/05/2012	<u>404</u>	MOTION for Order to Show Cause <i>Why Attachment of Defendants' Assets Should Not Be Ordered</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Text of Proposed Order [Proposed] Order of Attachment)(Mastro, Randy) (Entered: 03/05/2012)
03/05/2012	<u>405</u>	MEMORANDUM OF LAW in Support re: <u>404</u> MOTION for Order to Show Cause <i>Why Attachment of Defendants' Assets Should Not Be Ordered</i> .. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/05/2012)
03/05/2012	<u>406</u>	AFFIDAVIT of Steven R. Grenadier in Support re: <u>404</u> MOTION for Order to Show Cause <i>Why Attachment of Defendants' Assets Should Not Be Ordered</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Mastro, Randy) (Entered: 03/05/2012)
03/05/2012	<u>407</u>	DECLARATION of Louise Heckert in Support re: <u>404</u> MOTION for Order to Show Cause <i>Why Attachment of Defendants' Assets Should Not Be Ordered</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A)(Mastro, Randy) (Entered: 03/05/2012)
03/05/2012	<u>408</u>	DECLARATION of Veronica Jones in Support re: <u>404</u> MOTION for Order to Show Cause <i>Why Attachment of Defendants' Assets Should Not Be Ordered</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A)(Mastro, Randy) (Entered: 03/05/2012)
03/05/2012	<u>409</u>	AFFIDAVIT of Steven M. Shavell in Support re: <u>404</u> MOTION for Order to Show Cause <i>Why Attachment of Defendants' Assets Should Not Be Ordered</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Mastro, Randy) (Entered: 03/05/2012)
03/05/2012	<u>410</u>	DECLARATION of Anne Champion in Support re: <u>404</u> MOTION for Order to Show Cause <i>Why Attachment of Defendants' Assets Should Not Be Ordered</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1238-1244, # <u>2</u> Exhibit 1245-1248, # <u>3</u> Exhibit 1249-1250, # <u>4</u> Exhibit 1251 (Part1), # <u>5</u> Exhibit 1251 (Part 2), # <u>6</u> Exhibit 1251 (Part 3), # <u>7</u> Exhibit 1251 (Part 4), # <u>8</u> Exhibit 1252-1264, # <u>9</u> Exhibit 1265-1269, # <u>10</u> Exhibit 1270-1274)(Mastro, Randy) (Entered: 03/05/2012)
03/06/2012		CASHIERS OFFICE REMARK in the amount of \$200.00, paid on 02/21/2012, Receipt Number 1030325. PRO HAC VICE PAYMENT FOR TYLER DOYLE. (jd) (Entered: 03/06/2012)
03/06/2012	<u>411</u>	DECLARATION of Anne Champion in Support re: <u>404</u> MOTION for Order to Show Cause <i>Why Attachment of Defendants' Assets Should Not Be Ordered</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1275, # <u>2</u> Exhibit 1276, # <u>3</u> Exhibit 1277)(Champion, Anne) (Entered: 03/07/2012)
03/07/2012	<u>412</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Craig Smyser, Ty Doyle, Julio C. Gomez, and John Kecker dated 3/5/2012 re: Counsel for the defendants request that the Court deny Chevron's request for an Order to Show Cause, strike both Chevron's renewed Motion for Attachment and Motion for Summary judgment as prematurely filed under the Court's Order, without prejudice to refile once the parties have completed their meet and confer and the Court has set its schedule for dispositive and other motions. ENDORSEMENT: The request to strike Chevron's motions for an order of attachment and for partial summary judgment as prematurely filed under the Court's order of February 16, 2012 (the "Order") is without merit and denied in all respects. While the Order required the parties to meet and confer "with respect to proposed discovery, scheduling and further proceedings," it did not prohibit the filing of these motions. To the contrary, it vacated a previous stay of proceedings in this action with the sole exception that the Order provided also that no deposition testimony should be given, substantive answers to interrogatories and requests for admissions provided, nor requested or subpoenaed documents produced pending further order of the Court. Any concerns regarding briefing schedules may be dealt with by other means, including further discussions among the parties. (Signed by Judge Lewis A. Kaplan on 3/7/2012) (ft) (Entered: 03/07/2012)



03/07/2012	<u>413</u>	ORDER TO SHOW CAUSE WHY ATTACHMENT OF DEFENDANTS' ASSETS SHOULD NOT BE ORDERED (1) IN AN AMOUNT CERTAIN TO BE DETERMINED BY THIS COURT AND (2) DIRECTING THE UNITED STATES MARSHAL TO TAKE ANY DEBTS AND PROPERTY IN WHICH DEFENDANTS CLAIM A RIGHT, INCLUDING THE JUDGMENT ENTERED BY THE LAGO AGRIO COURT, INTO THE MARSHAL'S CONSTRUCTIVE POSSESSION, AND ENTERING A TEMPORARY RESTRAINING ORDER: Defendants shall show cause as to why a temporary restraining order, pursuant to Fed. R. Civ. P. 64 and N.Y. CPLR § 6210, should not be entered enjoining Defendants, their agents, employees, attorneys, servants, officers, and others in active concert or participation with them and who receive actual notice of this order, and each of them, from transferring or attempting to transfer any of his, her or its assets, including any debts and property in which he, she or it claims any right, including the judgment entered by the Lago Agrio Court, pending determination of Chevron's Renewed Motion for Attachment. Defendants show cause, at the United States Courthouse, Room 21B, 500 Pearl Street, New York, New York, on March 27, 2012 why (a) an order of attachment, pursuant to Fed. R. Civ. P. 64 and N.Y. CPLR Article 62, should not be entered against Defendants, attaching all the assets, including any debts and property in which he, she or it claims any right, including the judgment entered by the Lago Agrio Court, to the extent of \$780 million, of each of them and (b) the United States Marshal should not be directed to take into his constructive possession any debts and property of the Defendants, or in which they claim any right. Show Cause Hearing set for 3/15/2012 at 10:00 AM in Courtroom 21B, 500 Pearl Street, New York, NY 10007 before Judge Lewis A. Kaplan. Show Cause Response due by 3/27/2012. (Signed by Judge Lewis A. Kaplan on 3/7/2012) (ft) (Entered: 03/07/2012)
03/07/2012	<u>414</u>	STATUS REPORT. <i>Concerning Status of Court Proceedings in Ecuador</i> Document filed by Douglas Beltman, Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Ann Maest, Javier Piaguaje Payaguaje, Stratus Consulting, Inc., Stratus Consulting, Inc., The Law Offices of Steven R. Donziger.(Doyle, Tyler) (Entered: 03/07/2012)
03/07/2012	<u>415</u>	NOTICE of JOINT REPORT CONCERNING SCHEDULING AND DISCOVERY MATTERS. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/07/2012)
03/07/2012	<u>416</u>	STATUS REPORT. <i>SEPARATE STATEMENT OF CHEVRON CORPORATION ON THE STATUS OF COURT PROCEEDINGS IN ECUADOR</i> . Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 03/07/2012)
03/07/2012	<u>417</u>	NOTICE of JOINT NOTICE OF AGREED-UPON TRANSLATIONS. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Mastro, Randy) (Entered: 03/07/2012)
03/07/2012	<u>418</u>	Costs Taxed as to <u>390</u> USCA Mandate,, USCA Case Number 11-1150-cv(L). in the amount of \$14,038.57. Docketed as Judgment #12,0362 on 3/7/2012 in favor of Appellants Hugo Gerardo Camacho Naranjo, and Javier Piaguaje Payaguaje against Appellee Chevron Corporation. (nd) (Entered: 03/08/2012)
03/08/2012	<u>419</u>	CERTIFICATE OF SERVICE of Order to Show Cause and Supporting Documents served on Defendants on 3/7/2012. Service was accepted by hand delivery. Document filed by Chevron Corporation. (Champion, Anne) (Entered: 03/08/2012)
03/11/2012	<u>420</u>	RESPONSE TO ORDER TO SHOW CAUSE re: <u>413</u> Order to Show Cause,,,,,, Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Doyle, Tyler) (Entered: 03/11/2012)
03/11/2012	<u>421</u>	DECLARATION of Tyler G. Doyle in Support re: <u>420</u> Response to Order to Show Cause. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A KVN Correspondence, # <u>2</u> Exhibit B SKV Correspondence, # <u>3</u> Exhibit C)(Doyle, Tyler) (Entered: 03/11/2012)

03/11/2012	<u>422</u>	DECLARATION of Tyler G. Doyle re: <u>421</u> Declaration in Support, <u>420</u> Response to Order to Show Cause <i>Corrected Declaration</i> . Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A KVN Correspondence, # <u>2</u> Exhibit B SKV Correspondence, # <u>3</u> Exhibit C)(Doyle, Tyler) (Entered: 03/11/2012)
03/13/2012	<u>423</u>	MOTION for Order to Show Cause / <i>[PROPOSED] ORDER TO SHOW CAUSE WHY THIS COURT SHOULD NOT EXONERATE CHEVRON'S \$21.8 MILLION BOND</i> . Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 03/13/2012)
03/13/2012	<u>424</u>	MEMORANDUM OF LAW in Support re: <u>423</u> MOTION for Order to Show Cause / <i>[PROPOSED] ORDER TO SHOW CAUSE WHY THIS COURT SHOULD NOT EXONERATE CHEVRON'S \$21.8 MILLION BOND</i> .. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/13/2012)
03/13/2012	<u>425</u>	DECLARATION of Randy M. Mastro in Support re: <u>423</u> MOTION for Order to Show Cause / <i>[PROPOSED] ORDER TO SHOW CAUSE WHY THIS COURT SHOULD NOT EXONERATE CHEVRON'S \$21.8 MILLION BOND</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18)(Mastro, Randy) (Entered: 03/13/2012)
03/13/2012	<u>426</u>	MEMO ENDORSEMENT on re: (423 in 1:11-cv-00691-LAK) MOTION for Order to Show Cause / <i>[PROPOSED] ORDER TO SHOW CAUSE WHY THIS COURT SHOULD NOT EXONERATE CHEVRON'S \$21.8 MILLION BOND</i> filed by Chevron Corporation, (381 in 1:11-cv-03718-LAK-JCF) MOTION for Order to Show Cause / <i>[PROPOSED] ORDER TO SHOW CAUSE WHY THIS COURT SHOULD NOT EXONERATE CHEVRON'S \$21.8 MILLION BOND</i> filed by Chevron Corporation: Plaintiff has presented the Court with a proposed order to show cause why the preliminary injunction bond posted by Chevron in connection with the preliminary injunction entered in this case should not be exonerated. Its papers, however, do not make the requisite clear and specific showing of good and sufficient reasons why a procedure other than notice of motion is necessary. See S.D.N.Y. Civ. R. 6.1(d). Accordingly, the Court declines to sign the order to show cause. As the order to show cause and supporting papers already have been filed electronically, the proposed order to show cause is deemed to be a notice of motion. The filing of answering and reply papers shall be governed by the schedule establish by that Rule. (Signed by Judge Lewis A. Kaplan on 3/13/2012) (lmb) (Entered: 03/13/2012)
03/13/2012	<u>427</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from John W. Kecker dated 3/8/2012 re: We respectfully request that an additional 9 days, until March 20, to file papers responding to the request for Temporary Restraining Order, with the TRO hearing to be held March 27. ENDORSEMENT: Denied. (Signed by Judge Lewis A. Kaplan on 3/13/2012) (lmb) (Entered: 03/13/2012)
03/13/2012	<u>428</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Craig Smyser dated 3/8/2012 re: On behalf of our clients, Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje, we join in the request filed today by the Donziger defendants for additional time to prepare a response to the Order to Show Cause served on us yesterday. ENDORSEMENT: Denied. (Signed by Judge Lewis A. Kaplan on 3/13/2012) (lmb) (Entered: 03/13/2012)
03/13/2012	<u>429</u>	Letter addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 3/9/2012 re: I write on behalf of Plaintiff Chevron Corporation ("Chevron") in response to the requests from counsel for Defendants Steven Donziger and the LAPs to extend the briefing and hearing schedule set by this Court on Chevron's request for a temporary restraining order in connection with its renewed attachment application by order to show cause. For the reasons explained here, Chevron opposes Defendants' request. Document filed by Chevron Corporation.(lmb) (Entered: 03/13/2012)

03/14/2012	<u>430</u>	REPLY re: <u>404</u> MOTION for Order to Show Cause <i>Why Attachment of Defendants' Assets Should Not Be Ordered.</i> , <u>413</u> Order to Show Cause,,,,,, <i>PLAINTIFF CHEVRON CORPORATION'S REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT OF ITS REQUEST FOR A TEMPORARY RESTRAINING ORDER PENDING A DETERMINATION OF ITS RENEWED MOTION FOR AN ORDER OF ATTACHMENT.</i> Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/14/2012)
03/14/2012	<u>431</u>	DECLARATION of Anne Champion in Support re: <u>430</u> Reply,. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1278, # <u>2</u> Exhibit 1279, # <u>3</u> Exhibit 1280, # <u>4</u> Exhibit 1281, # <u>5</u> Exhibit 1282, # <u>6</u> Exhibit 1283, # <u>7</u> Exhibit 1284, # <u>8</u> Exhibit 1285)(Mastro, Randy) (Entered: 03/14/2012)
03/15/2012	<u>432</u>	CERTIFICATE OF SERVICE. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/15/2012)
03/15/2012	<u>433</u>	MEMO ENDORSED granting 403 Motion for Garland D Murphy IV to Appear Pro Hac Vice. (Signed by Judge Lewis A. Kaplan on 2/15/2012) (cd) (Entered: 03/15/2012)
03/15/2012	<u>434</u>	ORDER: The application of the LAP Representatives and the Donziger Defendants for an extension of time to serve and file papers in response to Chevron's motion for partial summary judgment dismissing certain defenses is granted to the extent that the time within which responsive papers shall be served and filed is extended from March 19, 2012 to and including March 26, 2012 and denied in all other respects. Set Deadlines/Hearing as to <u>396</u> MOTION for Summary Judgment <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT OR PARTIAL SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSES OF RES JUDICATA AND COLLATERAL ESTOPPEL</i> :( Responses due by 3/26/2012) (Signed by Judge Lewis A. Kaplan on 3/15/2012) (mro) (Entered: 03/15/2012)
03/15/2012	<u>435</u>	MEMO ENDORSED granting 393 Motion for Craig Smyser to Appear Pro Hac Vice. (Signed by Judge Lewis A. Kaplan on 3/15/2012) (cd) (Entered: 03/15/2012)
03/15/2012	<u>436</u>	MEMO ENDORSED granting 394 Motion for Christina A Bryan to Appear Pro Hac Vice. (Signed by Judge Lewis A. Kaplan on 3/15/2012) (cd) (Entered: 03/15/2012)
03/15/2012	<u>437</u>	MEMO ENDORSED granting 395 Motion for Larry R Veselka to Appear Pro Hac Vice. (Signed by Judge Lewis A. Kaplan on 3/15/2012) (cd) (Entered: 03/15/2012)
03/15/2012		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Show Cause Hearing held on 3/15/2012. Judge's Decision: Reserved. Regarding DI #423 (dj) (Entered: 03/22/2012)
03/16/2012	<u>438</u>	MOTION to Strike <i>CHEVRON CORPORATION'S MARCH 16, 2012 LETTER BRIEF</i> . Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger.(Little, Jan) (Entered: 03/16/2012)
03/16/2012	<u>439</u>	MEMORANDUM OF LAW in Support re: <u>438</u> MOTION to Strike <i>CHEVRON CORPORATION'S MARCH 16, 2012 LETTER BRIEF</i> .. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Little, Jan) (Entered: 03/16/2012)
03/16/2012	<u>440</u>	DECLARATION of Jan Nielsen Little in Support re: <u>438</u> MOTION to Strike <i>CHEVRON CORPORATION'S MARCH 16, 2012 LETTER BRIEF</i> .. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A to Declaration of Jan Nielsen Little, # <u>2</u> Exhibit B to Declaration of Jan Nielsen Little)(Little, Jan) (Entered: 03/16/2012)
03/16/2012	<u>441</u>	AMENDED MEMORANDUM OF LAW in Support re: <u>438</u> MOTION to Strike <i>CHEVRON CORPORATION'S MARCH 16, 2012 LETTER BRIEF</i> .. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Little, Jan) (Entered: 03/16/2012)

03/19/2012	<u>442</u>	MEMORANDUM OF LAW in Opposition re: <u>438</u> MOTION to Strike <i>CHEVRON CORPORATION'S MARCH 16, 2012 LETTER BRIEF</i> .. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/19/2012)
03/19/2012	<u>443</u>	MEMO ENDORSEMENT denying <u>438</u> Motion to Strike Chevron Corporation's March 16, 2012 Letter Brief. ENDORSEMENT: The LAP Representatives move to strike a two–page letter Chevron wrote to the Court after oral argument of so much of its pending motion as seeks a temporary restraining order pending determination of its prayer for an order of attachment. They argue that Chevron's letter constituted an improper surreply filed without leave of Court. Chevron counters that the letter simply gave a fuller answer to a question raised for the first time at oral argument. In the circumstances, it is well to note that the LAP Representatives' motion, in addition to objecting to Chevron's letter as an improper surreply, advances additional argument on other points. It does so without leave of court. In consequence, to whatever extent, if any, that Chevron's letter was an improper surreply, the LAP Representatives' actions in this respect were at least equally improper. In any case, no purpose is served by this exchange. The Court will consider Chevron's letter and so much of the LAP Representatives' submissions as are responsive to it. (Signed by Judge Lewis A. Kaplan on 3/19/2012) (mro) (Entered: 03/20/2012)
03/20/2012	<u>444</u>	MEMORANDUM OF LAW in Opposition re: <u>404</u> MOTION for Order to Show Cause <i>Why Attachment of Defendants' Assets Should Not Be Ordered</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Doyle, Tyler) (Entered: 03/20/2012)
03/20/2012	<u>445</u>	DECLARATION of Craig Smyser in Opposition re: <u>404</u> MOTION for Order to Show Cause <i>Why Attachment of Defendants' Assets Should Not Be Ordered</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O1, # <u>16</u> Exhibit O2, # <u>17</u> Exhibit O3, # <u>18</u> Exhibit O4, # <u>19</u> Exhibit P1a, # <u>20</u> Exhibit P1b, # <u>21</u> Exhibit P2, # <u>22</u> Exhibit P2b, # <u>23</u> Exhibit P3, # <u>24</u> Exhibit P4, # <u>25</u> Exhibit P5a, # <u>26</u> Exhibit P5b, # <u>27</u> Exhibit P6, # <u>28</u> Exhibit P7, # <u>29</u> Exhibit P8, # <u>30</u> Exhibit Q)(Doyle, Tyler) (Entered: 03/20/2012)
03/20/2012	<u>446</u>	DECLARATION of Hugo Gerardo Camacho Naranjo in Opposition re: <u>404</u> MOTION for Order to Show Cause <i>Why Attachment of Defendants' Assets Should Not Be Ordered</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Doyle, Tyler) (Entered: 03/20/2012)
03/20/2012	<u>447</u>	DECLARATION of Javier Piaguaje Payaguaje in Opposition re: <u>404</u> MOTION for Order to Show Cause <i>Why Attachment of Defendants' Assets Should Not Be Ordered</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Doyle, Tyler) (Entered: 03/20/2012)
03/22/2012	<u>448</u>	TRANSCRIPT of Proceedings re: Argument held on 3/15/2012 before Judge Lewis A. Kaplan. Court Reporter/Transcriber: Samuel Mauro, (212) 805–0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/16/2012. Redacted Transcript Deadline set for 4/26/2012. Release of Transcript Restriction set for 6/25/2012.(McGuirk, Kelly) (Entered: 03/22/2012)
03/22/2012	<u>449</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Argument proceeding held on 3/15/2012 has been filed by the court reporter/transcriber in the above–captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 03/22/2012)



03/26/2012	<u>450</u>	RESPONSE in Opposition re: <u>396</u> MOTION for Summary Judgment <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT OR PARTIAL SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSES OF RES JUDICATA AND COLLATERAL ESTOPPEL</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Doyle, Tyler) (Entered: 03/26/2012)
03/26/2012	<u>451</u>	DECLARATION of Craig Smyser in Opposition re: <u>396</u> MOTION for Summary Judgment <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT OR PARTIAL SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSES OF RES JUDICATA AND COLLATERAL ESTOPPEL</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Doyle, Tyler) (Entered: 03/26/2012)
03/26/2012	<u>452</u>	REPLY MEMORANDUM OF LAW in Support re: <u>404</u> MOTION for Order to Show Cause <i>Why Attachment of Defendants' Assets Should Not Be Ordered</i> .. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/26/2012)
03/26/2012	<u>453</u>	DECLARATION of Anne Champion in Support re: <u>404</u> MOTION for Order to Show Cause <i>Why Attachment of Defendants' Assets Should Not Be Ordered</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1286, # <u>2</u> Exhibit 1287, # <u>3</u> Exhibit 1288, # <u>4</u> Exhibit 1289, # <u>5</u> Exhibit 1290, # <u>6</u> Exhibit 1291, # <u>7</u> Exhibit 1292, # <u>8</u> Exhibit 1293, # <u>9</u> Exhibit 1294, # <u>10</u> Exhibit 1295, # <u>11</u> Exhibit 1296, # <u>12</u> Exhibit 1297, # <u>13</u> Exhibit 1298)(Mastro, Randy) (Entered: 03/26/2012)
03/27/2012	<u>454</u>	RESPONSE in Opposition re: <u>423</u> MOTION for Order to Show Cause / <i>[PROPOSED] ORDER TO SHOW CAUSE WHY THIS COURT SHOULD NOT EXONERATE CHEVRON'S \$21.8 MILLION BOND</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 03/27/2012)
03/27/2012	<u>455</u>	DECLARATION of Craig Smyser in Opposition re: <u>423</u> MOTION for Order to Show Cause / <i>[PROPOSED] ORDER TO SHOW CAUSE WHY THIS COURT SHOULD NOT EXONERATE CHEVRON'S \$21.8 MILLION BOND</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Doyle, Tyler) (Entered: 03/27/2012)
03/27/2012	<u>456</u>	JOINDER to join re: <u>454</u> Response in Opposition to Motion, <i>PLAINTIFF CHEVRON CORPORATION'S MOTION TO EXONERATE CHEVRON'S \$21.8 MILLION BOND</i> . Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger.(Keker, John) (Entered: 03/27/2012)
04/02/2012	<u>457</u>	REPLY MEMORANDUM OF LAW in Support re: <u>423</u> MOTION for Order to Show Cause / <i>[PROPOSED] ORDER TO SHOW CAUSE WHY THIS COURT SHOULD NOT EXONERATE CHEVRON'S \$21.8 MILLION BOND</i> .. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 04/02/2012)
04/02/2012	<u>458</u>	DECLARATION of Randy M. Mastro in Support re: <u>423</u> MOTION for Order to Show Cause / <i>[PROPOSED] ORDER TO SHOW CAUSE WHY THIS COURT SHOULD NOT EXONERATE CHEVRON'S \$21.8 MILLION BOND</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Mastro, Randy) (Entered: 04/02/2012)
04/02/2012	<u>459</u>	MEMORANDUM OPINION: #101673 Chevrons motion to exonerate the preliminary injunction bond issued by this Court [DI 423] is granted in all respects. The bond is exonerated and discharged. (Signed by Judge Lewis A. Kaplan on 4/2/2012) (ft) (Main Document 459 replaced on 4/2/2012) (ft). Modified on 4/5/2012 (jab). (Entered: 04/02/2012)
04/03/2012	<u>460</u>	NOTICE of JOINT NOTICE OF AGREED UPON TRANSLATION re: <u>417</u> Notice (Other). Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit D)(Mastro, Randy) (Entered: 04/03/2012)



04/03/2012	<u>461</u>	REPLY MEMORANDUM OF LAW in Support re: <u>396</u> MOTION for Summary Judgment <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT OR PARTIAL SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSES OF RES JUDICATA AND COLLATERAL ESTOPPEL</i> .. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 04/03/2012)
04/03/2012	<u>462</u>	DECLARATION of Anne Champion in Support re: <u>396</u> MOTION for Summary Judgment <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT OR PARTIAL SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSES OF RES JUDICATA AND COLLATERAL ESTOPPEL</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 2361, # <u>2</u> Exhibit 2362, # <u>3</u> Exhibit 2363, # <u>4</u> Exhibit 2364, # <u>5</u> Exhibit 2365, # <u>6</u> Exhibit 2366, # <u>7</u> Exhibit 2367, # <u>8</u> Exhibit 2368, # <u>9</u> Exhibit 2369, # <u>10</u> Exhibit 2370, # <u>11</u> Exhibit 2371, # <u>12</u> Exhibit 2372, # <u>13</u> Exhibit 2373, # <u>14</u> Exhibit 2374, # <u>15</u> Exhibit 2375, # <u>16</u> Exhibit 2376, # <u>17</u> Exhibit 2377, # <u>18</u> Exhibit 2378, # <u>19</u> Exhibit 2379, # <u>20</u> Exhibit 2380, # <u>21</u> Exhibit 2381, # <u>22</u> Exhibit 2382, # <u>23</u> Exhibit 2383, # <u>24</u> Exhibit 2384, # <u>25</u> Exhibit 2385, # <u>26</u> Exhibit 2386, # <u>27</u> Exhibit 2387, # <u>28</u> Exhibit 2388, # <u>29</u> Exhibit 2389, # <u>30</u> Exhibit 2390, # <u>31</u> Exhibit 2391, # <u>32</u> Exhibit 2392, # <u>33</u> Exhibit 2393, # <u>34</u> Exhibit 2394, # <u>35</u> Exhibit 2395, # <u>36</u> Exhibit 2396, # <u>37</u> Exhibit 2397, # <u>38</u> Exhibit 2010, # <u>39</u> Exhibit 2082, # <u>40</u> Exhibit 2091, # <u>41</u> Exhibit 2136, # <u>42</u> Exhibit 2267, # <u>43</u> Exhibit 2368, # <u>44</u> Exhibit 2349)(Champion, Anne) (Entered: 04/04/2012)
04/04/2012		First Supplemental ROA Returned. Supplemental Indexed record on Appeal Files for <u>250</u> Notice of Appeal filed by The Law Offices of Steven R. Donziger, Steven Donziger USCA Case Number 11-1150, returned from the U.S. Court of Appeals. (nd) (Entered: 04/04/2012)
04/09/2012	<u>463</u>	Letter addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 4/5/2012 re: Counsel for Chevron write to object to the Defendants' improper surreply submitted by letter yesterday on Chevron's summary judgment motion. Document filed by Chevron Corporation.(tro) (Entered: 04/09/2012)
04/09/2012	<u>464</u>	Letter addressed to Judge Lewis A. Kaplan from Craig Smyser and John Keker dated 4/4/2012 re: Counsel write to correct several misstatements and misimpressions fostered by Chevron Corporation's Reply in Support of it's Motion for Summary Judgment or Partial Summary Judgment on Defendants' Affirmative Defenses of Res Judicata and Collateral Estoppel (Dkt #461). Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje.(tro) (Entered: 04/09/2012)
05/02/2012	<u>465</u>	NOTICE OF APPEAL from <u>459</u> Memorandum & Opinion,. Document filed by Patton Boggs LLP. Filing fee \$ 455.00, receipt number 0208-7433408. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Young, S. Alyssa) (Entered: 05/02/2012)
05/02/2012	<u>466</u>	NOTICE OF APPEAL from <u>459</u> Memorandum & Opinion. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. Filing fee \$ 455.00, receipt number 465401037034. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (tp) (Entered: 05/03/2012)
05/03/2012		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>465</u> Notice of Appeal. (tp) (Entered: 05/03/2012)
05/03/2012		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>438</u> MOTION to Strike <i>CHEVRON CORPORATION'S MARCH 16, 2012 LETTER BRIEF</i> filed by Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger, Steven Donziger, <u>24</u> Declaration in Support, filed by Chevron Corporation, <u>141</u> Declaration in Support, filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>239</u> Rule 26(f) Discovery Plan Report filed by Ann Maest, Douglas Beltman, Stratus Consulting, Inc., Stratus Consulting, Inc., <u>388</u> Order on Motion to Withdraw as Attorney, <u>139</u> Declaration in Support, filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>254</u> Reply Memorandum of Law in Support filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>194</u> Order on Motion to Appear Pro Hac Vice, <u>96</u> Declaration in Support, filed by Chevron Corporation, <u>168</u> Letter, filed by Chevron

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05/03/2012		<p>Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>438</u> MOTION to Strike CHEVRON CORPORATION'S MARCH 16, 2012 LETTER BRIEF filed by Donziger &amp; Associates, PLLC, The Law Offices of Steven R. Donziger, Steven Donziger, <u>24</u> Declaration in Support, filed by Chevron Corporation, <u>141</u> Declaration in Support, filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>239</u> Rule 26(f) Discovery Plan Report filed by Ann Maest, Douglas Beltman, Stratus Consulting, Inc., Stratus Consulting, Inc., <u>388</u> Order on Motion to Withdraw as Attorney, <u>139</u> Declaration in Support, filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>254</u> Reply Memorandum of Law in Support filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>194</u> Order on Motion to Appear Pro Hac Vice, <u>96</u> Declaration in Support, filed by Chevron Corporation, <u>168</u> Letter, filed by Chevron Corporation, <u>434</u> Order, Set Motion and RRDeadlines/Hearings, <u>237</u> Order to Show Cause, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>249</u> Declaration in Support, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo, <u>107</u> Declaration in Support, filed by Chevron Corporation, <u>284</u> Order to Show Cause, <u>109</u> Declaration in Support, filed by</p>



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05/14/2012	<u>467</u>	<p>MEMORANDUM AND ORDER ORDER denying <u>404</u> Motion for Order of attachment. For the foregoing reasons, Chevron's renewed motion for an order of attachment is denied. (Signed by Judge Lewis A. Kaplan on 5/14/2012) (dj) Modified on 5/23/2012 (dj). (Entered: 05/14/2012)</p>
05/14/2012	<u>468</u>	<p>OPINION ON MOTION TO DISMISS AMENDED COMPLAINT # 101798 re: <u>302</u> MOTION to Dismiss (<i>Notice of Motion to Dismiss Chevron Corporation's Amended Complaint</i>). filed by Donziger &amp; Associates, PLLC, The Law Offices of Steven R. Donziger, Steven Donziger. For the foregoing reasons, the Donziger Defendants motion to dismiss the amended complaint [DI 302] is granted to the extent that so much of the third claim for relief as is premised on detrimental reliance by Chevron and the fourth through sixth claims for relief all are dismissed, provided, however, that the dismissal of the claim for damages asserted in the sixth claim for relief is dismissed only as premature. The motion is denied in all other respects. (Signed by Judge Lewis A. Kaplan on 5/14/2012) (dj) (Entered: 05/14/2012)</p>
05/17/2012	<u>470</u>	<p>Letter addressed to Judge Lewis A. Kaplan from Craig Smyser and John Kecker dated 3/11/2012 re: We write on behalf of our respective clients Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje; and Steven Danziger, the Law Offices of Steven R. Danziger, and Danziger &amp; Associates, PLLC to ask the Court to give defendants a total of thirty days to respond to Chevron's Motion for Partial Summary Judgment, i.e. a fourteen-day extension from March 19, 2012 to April 2, 2012. We conferred with Chevron's counsel, who refused to agree to the requested</p>



		extension. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje.(lmb) (Entered: 05/17/2012)
05/21/2012	<u>471</u>	MEMORANDUM AND ORDER (Corrected): Chevron's renewed motion for an order of attachment is denied. (Signed by Judge Lewis A. Kaplan on 5/21/2012) (ft) (Entered: 05/21/2012)
05/24/2012	<u>472</u>	MEMORANDUM AND ORDER granting in part and denying in part <u>320</u> Motion to Dismiss. For the foregoing reasons and those outlined in this Court's opinion on the Donziger Defendants' motion to dismiss, the Stratus Defendants' motion to dismiss the amended complaint [DI 320] is granted to the extent that so much of the third claim for relief as is premised on detrimental reliance by Chevron and the fourth through sixth claims for relief all are dismissed. It is denied in all other respects. (Signed by Judge Lewis A. Kaplan on 5/24/2012) (lmb) (Entered: 05/24/2012)
06/01/2012	<u>473</u>	NOTICE of Joint Notice of Agreed-Upon Translations re: <u>417</u> Notice (Other), <u>460</u> Notice (Other). Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit E, # <u>2</u> Exhibit F)(Mastro, Randy) (Entered: 06/01/2012)
06/07/2012	<u>474</u>	ANSWER to <u>283</u> Amended Complaint,,,,,, with JURY DEMAND. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc..(Krause, Stuart) (Entered: 06/07/2012)
06/07/2012	<u>475</u>	MOTION for Discovery <i>to Carry Over and Calendar Chevron's Motions to Compel Directed to Joseph Kohn, Andrew Woods, and Laura Garr</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Mastro, Randy) (Entered: 06/07/2012)
06/08/2012	<u>476</u>	NOTICE OF APPEARANCE by Seth D. Ard on behalf of Joseph C. Kohn, Kohn Swift & Graf, P.C. (Ard, Seth) (Entered: 06/08/2012)
06/11/2012	<u>477</u>	NOTICE OF APPEARANCE by Stephen D. Susman on behalf of Joseph C. Kohn, Kohn Swift & Graf, P.C. (Susman, Stephen) (Entered: 06/11/2012)
06/11/2012	<u>478</u>	RESPONSE to Motion re: <u>475</u> MOTION for Discovery <i>to Carry Over and Calendar Chevron's Motions to Compel Directed to Joseph Kohn, Andrew Woods, and Laura Garr</i> .. Document filed by Joseph C. Kohn, Kohn Swift & Graf, P.C.. (Susman, Stephen) (Entered: 06/11/2012)
06/11/2012	<u>479</u>	RESPONSE in Opposition re: <u>475</u> MOTION for Discovery <i>to Carry Over and Calendar Chevron's Motions to Compel Directed to Joseph Kohn, Andrew Woods, and Laura Garr</i> .. Document filed by Andrew Woods, Laura J Garr. (Attachments: # <u>1</u> Affidavit Declaration of Non-Party Andrew Woods)(Keker, John) (Entered: 06/11/2012)
06/11/2012	<u>480</u>	RESPONSE in Opposition re: <u>475</u> MOTION for Discovery <i>to Carry Over and Calendar Chevron's Motions to Compel Directed to Joseph Kohn, Andrew Woods, and Laura Garr</i> .. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Keker, John) (Entered: 06/11/2012)
06/11/2012	<u>481</u>	RESPONSE in Opposition re: <u>475</u> MOTION for Discovery <i>to Carry Over and Calendar Chevron's Motions to Compel Directed to Joseph Kohn, Andrew Woods, and Laura Garr</i> .. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Krause, Stuart) (Entered: 06/11/2012)
06/12/2012	<u>482</u>	NOTICE of Supplemental Authority re: <u>480</u> Response in Opposition to Motion,. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Keker, John) (Entered: 06/12/2012)
06/13/2012	<u>483</u>	MOTION for Summary Judgment. Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 06/13/2012)
06/13/2012	<u>484</u>	MEMORANDUM OF LAW in Support re: <u>483</u> MOTION for Summary Judgment.. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 06/13/2012)

06/13/2012	<u>485</u>	DECLARATION of Anne Champion in Support re: <u>483</u> MOTION for Summary Judgment.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Mastro, Randy) (Entered: 06/13/2012)
06/13/2012	<u>486</u>	RULE 56.1 STATEMENT. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 06/13/2012)
06/15/2012	<u>487</u>	MOTION for Patricia M. Hamill to Appear Pro Hac Vice. Document filed by Joseph C. Kohn, Kohn Swift & Graf, P.C.(pgu) (pgu). (Entered: 06/15/2012)
06/15/2012	<u>488</u>	MOTION for James J. Rohn to Appear Pro Hac Vice. Document filed by Joseph C. Kohn, Kohn Swift & Graf, P.C.(pgu) (pgu). (Entered: 06/15/2012)
06/15/2012	<u>489</u>	MOTION for Joshua J. Voss to Appear Pro Hac Vice. Document filed by Joseph C. Kohn, Kohn Swift & Graf, P.C.(pgu) (pgu). (Entered: 06/15/2012)
06/20/2012	<u>490</u>	ORDER granting <u>487</u> Motion for Patricia M. Hamill to Appear Pro Hac Vice. (Signed by Judge Lewis A. Kaplan on 6/20/2012) (ama) (Entered: 06/20/2012)
06/20/2012	<u>491</u>	ORDER granting <u>488</u> Motion for James J. Rohn to Appear Pro Hac Vice. (Signed by Judge Lewis A. Kaplan on 6/20/2012) (ama) (Entered: 06/20/2012)
06/20/2012	<u>492</u>	ORDER granting <u>489</u> Motion for Joshua J. Voss to Appear Pro Hac Vice. (Signed by Judge Lewis A. Kaplan on 6/20/2012) (ama) (Entered: 06/20/2012)
06/20/2012		CASHIERS OFFICE REMARK on <u>488</u> Motion to Appear Pro Hac Vice, <u>487</u> Motion to Appear Pro Hac Vice, <u>489</u> Motion to Appear Pro Hac Vice in the amount of \$600.00, paid on 06/15/2012, Receipt Number 1041125, 1041128, 1041129. (jd) (Entered: 06/20/2012)
06/22/2012	<u>493</u>	MOTION for Discovery <i>for Miscellaneous Relief in Connection with Responding to Non-Party Subpoena propounded by Chevron Corporation</i> . Document filed by Patton Boggs LLP. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Leader, James) (Entered: 06/22/2012)
06/25/2012	<u>494</u>	ORDER: Applications for leave to amend or to add additional parties shall be made no later than August 1, 2012. Absent leave of Court, no interrogatories, document requests, or requests for admissions shall be served after December 1, 2012. Initial expert disclosures shall be served no later than February 1, 2013. Rebuttal expert disclosures shall be served no later than March 15, 2013. All discovery shall be completed no later than May 31, 2013. The joint pretrial order, requests to charge, and any motions for summary judgment shall be filed no later than June 30, 2013. (Signed by Judge Lewis A. Kaplan on 6/25/2012) (jar) (Entered: 06/25/2012)
06/25/2012	<u>495</u>	ORDER denying <u>475</u> Motion for Discovery. The subpoenas previously served on Mr. Kohn, his firm and Ms. Garr in the prior action are deemed to have been served today in this action except to the extent that any of these witnesses demonstrates, on or before July 7, 2012, that the witness or witnesses no longer is within the geographic range of subpoenas issued by this Court. In the case of Mr. Woods, the subpoena previously served on him is not deemed to have been served today as he already has demonstrated that he no longer is within the geographic range of subpoenas issued by this Court. Chevron is deemed to have moved to compel Mr. Kohn, his firm and Ms. Garr to comply with the subpoenas addressed to them. The Court takes judicial notice of the papers submitted in support of and in opposition to the motion to compel that was made in the prior action. Mr. Kohn, his firm, Ms. Garr and the defendants in this action on or before July 12, 2012 may supplement the opposing papers submitted in the prior action. Chevron may respond to any such additional filings on or before July 21, 2012. Mr. Kohn, his firm, Ms. Garr, and the defendants in this action may reply to any such response by Chevron on or before July 28, 2012.. (Signed by Judge Lewis A. Kaplan on 6/25/2012) (jar) (Entered: 06/25/2012)
06/25/2012		Set/Reset Deadlines: Responses due by 7/21/2012 Replies due by 7/28/2012. (jar) (Entered: 06/25/2012)
06/26/2012	<u>496</u>	RESPONSE in Opposition re: <u>493</u> MOTION for Discovery <i>for Miscellaneous Relief in Connection with Responding to Non-Party Subpoena propounded by Chevron Corporation</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u>

		Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10)(Mastro, Randy) (Entered: 06/26/2012)
06/27/2012	<u>497</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 6/26/2012 re: I write as Plaintiff Chevron Corporation's counsel regarding Your Honor's order of yesterday setting a schedule in this action. Dkt. 494. Paragraph 3 of Your Honor's order states: "Compliance with Rule 26(a)(l)(iii) is deferred pending further order of the Court." Because the reference to "Rule 26(a)(1)(iii)" seems to be missing a lettered subparagraph reference after "(1)," we respectfully request clarification whether the Court intended to defer compliance only to Rule 26(a)(1)(A)(iii), which requires that parties include "a computation of each category of damages claimed" in their initial disclosures, or to the entirety of Rule 26(a)(1)(A), which requires initial disclosures generally (including damages). ENDORSEMENT: The order is corrected by substituting "Rule 26(a)(1)(A)(iii)" for "Rule 26(a)(1)(iii)". (Signed by Judge Lewis A. Kaplan on 6/27/2012) (dj) (Entered: 06/28/2012)
06/28/2012	<u>498</u>	MEMO ENDORSEMENT ON NON-PARTY PATTON BOGGS LLP'S MOTION FOR MISCELLANEOUS RELIEF IN CONNECTION WITH RESPONDING TO NON-PARTY SUBPOENA PROPOUNDED BY CHEVRON CORPORATION: granting in part and denying in part <u>493</u> Motion for Discovery. The motion of non-party Patton Boggs LLP ("PB") [DI 493] is disposed of as follows: 1. PB's application for additional time to respond to the subpoena served on it is granted. Objections to and any motion to quash or modify, or for a protective order with respect to, it shall be served and, to the extent permitted by the local rules, filed on or before July 20, 2012. Any documents the production of which is not objected to shall be produced no later than July 20, 2012. This schedule shall apply also to objections and/or motions on behalf of the defendants with respect to this subpoena. 2. The effect of the extension set forth in paragraph 1 at least substantially moots PB's application for temporary relief from the requirements of S.D.N.Y. Crv. R. 26.2, as the extension of time to respond to the subpoena extends PB's time within which to furnish its privilege log. 3. PB's application for an expansion of page limits on briefs with respect to the subpoena is granted to the extent that PB may file an oversized moving or opposition brief (depending upon whether it is the movant or responds to a motion by plaintiff to compel compliance with the subpoena) not to exceed 35 pages on the condition that the brief is filed jointly with defendants Naranjo, Payaguaje, and Donziger and the other Donziger defendants. In the event that two or more briefs are filed on behalf of these parties, their aggregate length shall not exceed 35 pages. Plaintiff's moving or opposition brief (depending upon whether it responds to a motion by PB or is filed in support of a motion by plaintiff to compel) likewise shall not exceed 35 pages. Accordingly, the motion is granted to the extent set forth herein and denied in all other respects. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 6/28/2012) (dj) (Entered: 06/28/2012)
06/28/2012		Set/Reset Deadlines: Motions due by 7/20/2012. (dj) (Entered: 06/28/2012)
06/28/2012	<u>499</u>	AMENDED ANSWER to <u>283</u> Amended Complaint,,,,,, with JURY DEMAND. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Krause, Stuart) (Entered: 06/28/2012)
06/29/2012	<u>500</u>	NOTICE OF APPEARANCE: PLEASE TAKE NOTICE that Kristen L. Hendricks of Gibson, Dunn & Crutcher LLP hereby withdraws her appearance in the above-captioned case on behalf of Plaintiff Chevron Corporation. Gibson, Dunn & Crutcher LLP and its attorneys that have appeared will continue to appear on behalf of Plaintiff Chevron Corporation in this action. (Signed by Judge Lewis A. Kaplan on 6/29/2012) (cd) (Entered: 07/02/2012)
07/02/2012	<u>501</u>	DECLARATION of Stuart A. Krause in Opposition re: <u>483</u> MOTION for Summary Judgment.. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Attachments: # <u>1</u> Exhibit A Amended answer)(Krause, Stuart) (Entered: 07/02/2012)
07/02/2012	<u>502</u>	MEMORANDUM OF LAW in Opposition re: <u>483</u> MOTION for Summary Judgment.. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting,

		Inc.. (Krause, Stuart) (Entered: 07/02/2012)
07/03/2012	<u>503</u>	NOTICE OF APPEARANCE by Anne Marie Champion on behalf of Chevron Corporation (Champion, Anne) (Entered: 07/03/2012)
07/03/2012	<u>504</u>	MOTION for Jason B. Stavers to Appear Pro Hac Vice. Document filed by Chevron Corporation.(pgu) (Entered: 07/06/2012)
07/06/2012	<u>505</u>	REPLY MEMORANDUM OF LAW in Support re: <u>483</u> MOTION for Summary Judgment. <i>CHEVRON CORPORATION'S REPLY IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT OR PARTIAL SUMMARY JUDGMENT ON STRATUS DEFENDANTS' AFFIRMATIVE DEFENSES OF RES JUDICATA AND COLLATERAL ESTOPPEL</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 07/06/2012)
07/06/2012	<u>506</u>	DECLARATION of Anne Champion in Support re: <u>483</u> MOTION for Summary Judgment.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 2398, # <u>2</u> Exhibit 2399)(Champion, Anne) (Entered: 07/06/2012)
07/09/2012	<u>507</u>	MEMO ENDORSEMENT granting <u>504</u> Motion for Jason B. Stavers to Appear Pro Hac Vice: Granted. (Signed by Judge Lewis A. Kaplan on 7/9/2012) (lmb) (Entered: 07/09/2012)
07/10/2012		CASHIERS OFFICE REMARK on <u>504</u> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 07/03/2012, Receipt Number 1042691. (jd) (Entered: 07/10/2012)
07/11/2012	<u>508</u>	SECOND MOTION for Discovery <i>for Miscellaneous Relief in Connection with Responding to Non-Party Subpoena Propounded by Chevron Corporation</i> . Document filed by Patton Boggs LLP.(Leader, James) (Entered: 07/11/2012)
07/11/2012	<u>509</u>	AFFIDAVIT of Jon Kessler in Support re: <u>508</u> SECOND MOTION for Discovery <i>for Miscellaneous Relief in Connection with Responding to Non-Party Subpoena Propounded by Chevron Corporation</i> .. Document filed by Patton Boggs LLP. (Leader, James) (Entered: 07/11/2012)
07/12/2012	<u>510</u>	RESPONSE to <i>Chevron Corporation's Motion to Compel</i> . Document filed by Joseph C. Kohn, Kohn Swift & Graf, P.C.. (Hamill, Patricia) (Entered: 07/12/2012)
07/12/2012	<u>511</u>	DECLARATION of Joshua J. Voss. Document filed by Joseph C. Kohn, Kohn Swift & Graf, P.C.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Voss, Joshua) (Entered: 07/12/2012)
07/12/2012	<u>512</u>	JOINT OPPOSITION BRIEF re: <u>495</u> Order on Motion for Discovery,,,, <i>Joint Supplemental Opposition to Plaintiff Chevron Corporation's Motions to Compel</i> . Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger.(Keker, John) (Entered: 07/12/2012)
07/12/2012	<u>513</u>	SUPPLEMENTAL OPPOSITION BRIEF re: <u>495</u> Order on Motion for Discovery,,,, <i>Supplemental Opposition to Plaintiff Chevron Corporation's Motion to Compel</i> . Document filed by Laura J Garr.(Keker, John) (Entered: 07/12/2012)
07/13/2012	<u>514</u>	RESPONSE to Motion re: <u>508</u> SECOND MOTION for Discovery <i>for Miscellaneous Relief in Connection with Responding to Non-Party Subpoena Propounded by Chevron Corporation</i> . PLAINTIFF CHEVRON CORPORATION'S RESPONSE TO PATTON BOGGS LLP'S "SECOND MOTION FOR MISCELLANEOUS RELIEF" IN CONNECTION WITH THE NON-PARTY SUBPOENA SERVED BY CHEVRON CORPORATION ON PATTON BOGGS LLP. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1)(Mastro, Randy) (Entered: 07/13/2012)
07/18/2012	<u>515</u>	ORDER: The motion of Patton Boggs for miscellaneous relief [DI 508] is granted to the extent that its time to furnish its privilege log with respect to the subpoena served upon it by plaintiff is extended to and including August 10, 2012 or, if Patton Boggs moves by July 20, 2012 to quash that subpoena and the motion to quash is not granted in its entirety, the twentieth day following entry of the order determining the motion to quash. The motion is denied to the extent it seeks any other relief. Having disposed of the motion, the Court notes briefly that it has



		received letters from counsel for plaintiff and for Patton Boggs that suggest some amount of ill will between plaintiffs counsel and Patton Boggs (as distinguished from its present counsel of record). All concerned are reminded that these communications are not necessary and the overheated rhetoric they contain serves no useful purpose. (Signed by Judge Lewis A. Kaplan on 7/18/2012) (js) (Entered: 07/18/2012)
07/18/2012	<u>516</u>	NOTICE of Motion to Dismiss for Lack of Personal Jurisdiction. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 07/18/2012)
07/18/2012	<u>517</u>	MOTION to Dismiss for Lack of Jurisdiction. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(Doyle, Tyler) (Entered: 07/18/2012)
07/18/2012	<u>518</u>	MEMORANDUM OF LAW in Support re: <u>517</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 07/18/2012)
07/18/2012	<u>519</u>	AFFIDAVIT of Craig Smyser in Support re: <u>517</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Doyle, Tyler) (Entered: 07/18/2012)
07/20/2012	<u>520</u>	NOTICE OF APPEARANCE by S. Alyssa Young on behalf of Patton Boggs LLP (Young, S. Alyssa) (Entered: 07/20/2012)
07/20/2012	<u>521</u>	NOTICE OF APPEARANCE by Caroline Curtiss Marino on behalf of Patton Boggs LLP (Marino, Caroline) (Entered: 07/20/2012)
07/20/2012	<u>522</u>	MOTION to Quash Subpoena Duces Tecum of Patton Boggs. Document filed by Patton Boggs LLP.(Leader, James) (Entered: 07/20/2012)
07/20/2012	<u>523</u>	DECLARATION of Ari Perlstein in Support re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs.. Document filed by Patton Boggs LLP. (Leader, James) (Entered: 07/20/2012)
07/20/2012	<u>524</u>	DECLARATION of Jon Kessler in Support re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs.. Document filed by Patton Boggs LLP. (Leader, James) (Entered: 07/20/2012)
07/20/2012	<u>525</u>	DECLARATION of Charles E. Talisman in Support re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs.. Document filed by Patton Boggs LLP. (Leader, James) (Entered: 07/20/2012)
07/20/2012	<u>526</u>	JOINDER to join re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs.. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(Gomez, Julio) (Entered: 07/20/2012)
07/20/2012	<u>527</u>	MEMORANDUM OF LAW in Support re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs.. Document filed by Patton Boggs LLP. (Leader, James) (Entered: 07/20/2012)
07/20/2012	<u>528</u>	<b>FILING ERROR – DEFICIENT DOCKET ENTRY (SEE DOCUMENT #532)</b> – DECLARATION of S. Alyssa Young in Support re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs. Document filed by Patton Boggs LLP. (Attachments: # <u>1</u> Exhibit A–C, # <u>2</u> Exhibit D–J, # <u>3</u> Exhibit K–O, # <u>4</u> Exhibit P–V, # <u>5</u> Exhibit W–X, # <u>6</u> Exhibit Y part I, # <u>7</u> Exhibit Y part II, # <u>8</u> Exhibit Z–GG)(Leader, James) Modified on 7/26/2012 (ldi). (Entered: 07/21/2012)
07/21/2012	<u>529</u>	DECLARATION of Caroline C. Marino in Support re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs.. Document filed by Patton Boggs LLP. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3–4, # <u>4</u> Exhibit 5–10, # <u>5</u> Exhibit 11–15, # <u>6</u> Exhibit 16–20, # <u>7</u> Exhibit 21–25, # <u>8</u> Exhibit 26–30, # <u>9</u> Exhibit 31–38, # <u>10</u> Exhibit 39–40, # <u>11</u> Exhibit 41–44, # <u>12</u> Exhibit 45–50, # <u>13</u> Exhibit 51–54, # <u>14</u> Exhibit 55–60, # <u>15</u> Exhibit 61–67)(Leader, James) (Entered: 07/21/2012)

07/21/2012	<u>530</u>	<b>FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – SUPPLEMENTAL BRIEF</b> re: <u>495</u> Order on Motion for Discovery,,,,, <i>Supplemental Brief In Support of Chevron Corporation's Motion to Compel</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8)(Mastro, Randy) Modified on 7/23/2012 (ka). (Entered: 07/21/2012)
07/23/2012		<b>***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Randy M. Mastro to RE-FILE Document <u>530</u> Brief. Use the event type Response(non-motion) found under the event list Other Answers. (ka)</b> (Entered: 07/23/2012)
07/23/2012	<u>531</u>	SUPPLEMENTAL RESPONSE re: <u>495</u> Order on Motion for Discovery,,,,, <i>Supplemental Brief In Support of Chevron Corporation's Motion to Compel</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Affidavit 7, # <u>8</u> Appendix 8)(Mastro, Randy) (Entered: 07/23/2012)
07/24/2012	<u>532</u>	DECLARATION of S. Alyssa Young in Support re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs.. Document filed by Patton Boggs LLP. (Attachments: # <u>1</u> Exhibit A–C, # <u>2</u> Exhibit D–J, # <u>3</u> Exhibit K–O, # <u>4</u> Exhibit P–V, # <u>5</u> Exhibit W–X, # <u>6</u> Exhibit Y Part I, # <u>7</u> Exhibit Y Part II, # <u>8</u> Exhibit Z–GG, # <u>9</u> Exhibit HH)(Leader, James) (Entered: 07/24/2012)
07/24/2012	<u>533</u>	ENDORSED LETTER addressed to Judge Lewis A Kaplan from Randy M Mastro dated 7/23/2012 re: Request to extend time to 7/27/2012 for Chevron to file opposition to Patton Boggs's Motion to Quash Subpoena. ENDORSEMENT: Granted. Set Deadlines/Hearing as to <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs. ( Responses due by 7/27/2012) (Signed by Judge Lewis A. Kaplan on 7/23/2012) (cd) (Entered: 07/24/2012)
07/25/2012	<u>534</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from John W. Kecker dated 7/23/2012 re: the deadline for motions to amend or to add additional parties is August 1,2012. we respectfully request the Court for a two-week extension of the deadline until August 15. ENDORSEMENT: GRANTED. SO ORDERED., ( Motions due by 8/15/2012.) (Signed by Judge Lewis A. Kaplan on 7/25/2012) (ama) (Entered: 07/25/2012)
07/25/2012	<u>535</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Craig Smyser dated 7/23/2012 re: I write on behalf of my clients Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje to ask the Court conditionally for a brief extension of the August 1, 2012 deadline to seek leave to amend or add additional parties, if necessary. ENDORSEMENT: The application for an extension of time – until after the Court rules on the July 17, 2012 motion by defendants Camach and Piaguaje to dismiss for lack of personal jurisdiction – to seek leave to amend or to add additional parties is denied. (See order for further endorsement.) (Signed by Judge Lewis A. Kaplan on 7/25/2012) (lmb) (Entered: 07/25/2012)
07/25/2012	<u>536</u>	Letter addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 7/23/2012 re: I write as counsel for Plaintiff Chevron Corporation ("Chevron") in opposition to the request of the LAP representatives, Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje, for an extension of the August 1 deadline to file motions for leave to amend or add parties until an indefinite date two weeks after this Court decides their pending motion to dismiss for lack of personal jurisdiction. Document filed by Chevron Corporation.(lmb) (Entered: 07/25/2012)
07/25/2012	<u>537</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 7/23/2012 re: Chevron hereby requests that, if the Court grants the Donziger defendants' request for an extension of time to file an amended pleading or add parties, it extend Chevron's time as well, affording it an additional week beyond that time until August 22, 2012, to file any amended pleading or add parties. ENDORSEMENT: Granted., ( Amended Pleadings due by 8/22/2012., Joinder of Parties due by 8/22/2012.) (Signed by Judge Lewis A. Kaplan on 7/25/2012) (lmb) (Entered: 07/25/2012)
07/25/2012	<u>538</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from S. Alyssa Young dated 7/24/2012 re:In light of Chevron's request for an extension – and perhaps

		equally so, in view of Chevron's July 13 filing, which previewed its intent to direct salacious attacks at Patton Boggs in its opposition papers, to support application of the "crime-fraud" exception, (Dkt. 14) – Patton Boggs renews its request that the pending Motion to Quash be governed by the "Briefs and Motion Papers" section of Your Honor's individual Motion Rules and Procedures, rather than as a "Discovery Dispute." ENDORSEMENT: Granted to the extent that Patton Boggs may submit a reply memo not to exceed 10 double spaced pages within 7 days after the filing of Chevron's opposition. (Signed by Judge Lewis A. Kaplan on 7/25/2012) (djc) (Entered: 07/26/2012)
07/27/2012	<u>539</u>	REPLY to Chevron Corporation's Response in Support of its Motion to Compel. Document filed by Joseph C. Kohn, Kohn Swift & Graf, P.C.. (Hamill, Patricia) (Entered: 07/27/2012)
07/27/2012	<u>540</u>	JOINT OPPOSITION BRIEF re: <u>495</u> Order on Motion for Discovery,,,, To Plaintiff Chevron Corproation's Motions to Compel Directed to Joseph Kohn and Laura Garr. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Keker, John) (Entered: 07/27/2012)
07/27/2012	<u>541</u>	MEMORANDUM OF LAW in Opposition re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs.. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 07/27/2012)
07/27/2012	<u>542</u>	<b>FILING ERROR – DEFICIENT DOCKET ENTRY</b> – DECLARATION of Jason Stavers in Opposition re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 2400, # <u>2</u> Exhibit 2401, # <u>3</u> Exhibit 2402, # <u>4</u> Exhibit 2403, # <u>5</u> Exhibit 2404, # <u>6</u> Exhibit 2405, # <u>7</u> Exhibit 2406, # <u>8</u> Exhibit 2407, # <u>9</u> Exhibit 2408, # <u>10</u> Exhibit 2409)(Mastro, Randy) Modified on 7/31/2012 (lb). (Entered: 07/27/2012)
07/27/2012	<u>543</u>	<b>FILING ERROR – DUPLICATE DOCKET ENTRY</b> – DECLARATION of Jason Stavers in Opposition re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 2410, # <u>2</u> Exhibit 2411, # <u>3</u> Exhibit 2412, # <u>4</u> Exhibit 2413, # <u>5</u> Exhibit 2414, # <u>6</u> Exhibit 2415, # <u>7</u> Exhibit 2416, # <u>8</u> Exhibit 2417, # <u>9</u> Exhibit 2418, # <u>10</u> Exhibit 2419, # <u>11</u> Exhibit 2420)(Mastro, Randy) Modified on 7/30/2012 (db). (Entered: 07/27/2012)
07/27/2012	<u>544</u>	<b>FILING ERROR – DUPLICATE DOCKET ENTRY</b> – DECLARATION of Jason Stavers in Opposition re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 2421, # <u>2</u> Exhibit 2422, # <u>3</u> Exhibit 2423, # <u>4</u> Exhibit 2424, # <u>5</u> Exhibit 2425, # <u>6</u> Exhibit 2426, # <u>7</u> Exhibit 2427, # <u>8</u> Exhibit 2428, # <u>9</u> Exhibit 2429, # <u>10</u> Exhibit 2430)(Mastro, Randy) Modified on 7/30/2012 (db). (Entered: 07/27/2012)
07/27/2012	<u>545</u>	<b>FILING ERROR – DUPLICATE DOCKET ENTRY</b> – DECLARATION of Jason Stavers in Opposition re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 2431, # <u>2</u> Exhibit 2432, # <u>3</u> Exhibit 2433, # <u>4</u> Exhibit 2434, # <u>5</u> Exhibit 2435, # <u>6</u> Exhibit 2436, # <u>7</u> Exhibit 2437, # <u>8</u> Exhibit 2438, # <u>9</u> Exhibit 2439, # <u>10</u> Exhibit 2440, # <u>11</u> Exhibit 2441)(Mastro, Randy) Modified on 7/30/2012 (db). (Entered: 07/27/2012)
07/27/2012	<u>546</u>	DECLARATION of Lauren Elliot in Opposition re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Mastro, Randy) (Entered: 07/27/2012)
07/27/2012	<u>547</u>	AFFIDAVIT of David Garrett in Opposition re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Attachment A, # <u>2</u> Attachment B)(Mastro, Randy) (Entered: 07/27/2012)
07/27/2012	<u>548</u>	AFFIDAVIT of Samuel Hernandez, Jr. in Opposition re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs.. Document filed by Chevron

		Corporation. (Attachments: # <u>1</u> Tab 1, # <u>2</u> Tab 2)(Mastro, Randy) (Entered: 07/27/2012)
07/30/2012		<b>***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Randy M. Mastro to RE-FILE Document <u>543</u> Declaration in Opposition to Motion, <u>544</u> Declaration in Opposition to Motion, <u>545</u> Declaration in Opposition to Motion. ERROR(S): Duplicated Declarations in Support. File a Supplemental Declaration in Support and attach ALL exhibits to it. (db)</b> (Entered: 07/30/2012)
07/31/2012	<u>549</u>	DECLARATION of Jason Stavers in Opposition re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 2400, # <u>2</u> Exhibit 2401, # <u>3</u> Exhibit 2402 to 2409, # <u>4</u> Exhibit 2410 to 2425, # <u>5</u> Exhibit 2426 to 2428, # <u>6</u> Exhibit 2429, # <u>7</u> Exhibit 2430, # <u>8</u> Exhibit 2431, # <u>9</u> Exhibit 2432, # <u>10</u> Exhibit 2433 to 2441)(Mastro, Randy) (Entered: 07/31/2012)
07/31/2012	<u>550</u>	OPINION ON PARTIAL SUMMARY JUDGMENT MOTION: #102124 The issues before the Court are whether (a) there is a genuine issue as to any fact material to the bases on which Chevron seeks dismissal of the res judicata–collateral estoppel defense, and (b) Chevron is entitled to that relief as a matter of law, and (c) Chevron in any case is entitled to judgment based on the law of former adjudication without regard to the recognizability or enforceability of the Judgment. Thus, the question is not whether the Court thinks it likely that Chevron ultimately will prevail on these arguments. The crux of the motion is the contention that the Lago Agrio Judgment should not be recognized or enforced by reason of fraud. As the foregoing demonstrates, the LAPs' procurement of the termination of judicial inspections, the adoption of the global assessment, and the appointment of Cabrera all unquestionably were tainted. The secret participation of the LAP team in Cabrer's activities and its secret drafting of the bulk of Cabrera's report were tainted as well. Moreover, there are serious questions concerning the preparation of the Judgment itself in view of the identity between some portions of the Judgment and the Unfiled Fusion Memo, especially in light of the undisputed pattern of ex parte advocacy in the Lago Agrio Litigation and the undisputed instance of the LAP team's coercion of and duress on one of the judges to obtain a desired result. But it cannot be said at this stage of the proceedings that Chevron is entitled to a determination in its favor as to the recognizability and enforceability of the Judgment or the collateral estoppel defense in view of the issues as to whether any of this materially affected Chevron's ability fully to present its defense or corrupted the judicial process so as to warrant such a determination. The Court, however, has reached a different conclusion as to res judicata. Accordingly, Chevron's motion for partial summary judgment dismissing the LAP Representatives and the Donziger Defendants' affirmative defenses of res judicata and collateral estoppel [DI 396] is granted to the extent that the res judicata defenses are dismissed but otherwise denied. Re: <u>396</u> MOTION for Summary Judgment <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT OR PARTIAL SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSES OF RES JUDICATA AND COLLATERAL ESTOPPEL</i> filed by Chevron Corporation. (Signed by Judge Lewis A. Kaplan on 7/31/2012) (rjm) Modified on 8/1/2012 (jab). (Entered: 07/31/2012)
07/31/2012	<u>551</u>	MEMO ENDORSEMENT ON CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT OR PARTIAL SUMMARY JUDGMENT ON THE STRATUS DEFENDANTS' AFFIRMATIVE DEFENSES OF RES JUDICATA AND COLLATERAL ESTOPPEL: denying <u>483</u> Motion for Summary Judgment. ENDORSEMENT: Motion denied. (Signed by Judge Lewis A. Kaplan on 7/31/2012) (dj) (Entered: 07/31/2012)
08/01/2012	<u>552</u>	<b>FILING ERROR – DEFICIENT DOCKET ENTRY – Motions for Pro Hac Vice are to be electronically filed by the attorney applying for admission.</b> MOTION for Justina K. Sessions to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208–7694775. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Declaration of Elliot R. Peters in Support of Motion to Admit Counsel Pro Hac Vice, # <u>2</u> Exhibit Certificate of Standing, # <u>3</u> Text of Proposed Order)(Peters,



		Elliot) Modified on 8/2/2012 (wb). (Entered: 08/01/2012)
08/01/2012	<u>553</u>	MOTION for Leave to File Second Amended Answer to Amended Complaint Separate Defenses, and Jury Trial Demand. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit A Second Amended Answer, # <u>2</u> Exhibit B NY Times Article)(Doyle, Tyler) (Entered: 08/01/2012)
08/02/2012		<b>&gt;&gt;&gt;NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice regarding Document No. <u>552</u> MOTION for Justina K. Sessions to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-7694775. Motion and supporting papers to be reviewed by Clerk's Office staff.. The filing is deficient for the following reason(s): the Wrong Filer was Selected. Re-file the document as a Corrected Motion to Appear Pro Hac Vice event and select the correct Filer. (wb)</b> (Entered: 08/02/2012)
08/02/2012	<u>554</u>	MOTION for Justina K. Sessions to Appear Pro Hac Vice <i>Corrected</i> . <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Declaration of Elliot R. Peters in Support of Motion to Admit Counsel Pro Hac Vice, # <u>2</u> Exhibit Certificate of Standing, # <u>3</u> Text of Proposed Order)(Sessions, Justina) (Entered: 08/02/2012)
08/02/2012		<b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>554</u> MOTION for Justina K. Sessions to Appear Pro Hac Vice <i>Corrected</i>. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (pgu)</b> (Entered: 08/02/2012)
08/03/2012	<u>555</u>	DECLARATION of Ari Perlstein in Support re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs.. Document filed by Patton Boggs LLP. (Leader, James) (Entered: 08/03/2012)
08/03/2012	<u>556</u>	DECLARATION of Jon Kessler in Support re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs.. Document filed by Patton Boggs LLP. (Leader, James) (Entered: 08/03/2012)
08/03/2012	<u>557</u>	DECLARATION of S. Alyssa Young in Support re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs.. Document filed by Patton Boggs LLP. (Attachments: # <u>1</u> Exhibit 1-7, # <u>2</u> Exhibit 8-12, # <u>3</u> Exhibit 13-18, # <u>4</u> Exhibit 19-24, # <u>5</u> Exhibit 25-33)(Leader, James) (Entered: 08/03/2012)
08/03/2012	<u>558</u>	REPLY MEMORANDUM OF LAW in Support re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs.. Document filed by Patton Boggs LLP. (Leader, James) (Entered: 08/03/2012)
08/06/2012	<u>559</u>	MEMORANDUM OF LAW in Opposition re: <u>517</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 08/06/2012)
08/06/2012	<u>560</u>	<b>FILING ERROR – DEFICIENT DOCKET ENTRY – (SEE DOCUMENT #561)</b> – DECLARATION of Anne Champion in Opposition re: <u>517</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 2442-2454, # <u>2</u> Exhibit 2455-2464, # <u>3</u> Exhibit 2465-2475, # <u>4</u> Exhibit 2476-2486, # <u>5</u> Exhibit 2487-2500, # <u>6</u> Exhibit 2501-2515, # <u>7</u> Exhibit 2516-2530, # <u>8</u> Exhibit 2531-2545, # <u>9</u> Exhibit 2546-2560, # <u>10</u> Exhibit 2561-2572, # <u>11</u> Exhibit 2573-2586, # <u>12</u> Exhibit 2587-2591, # <u>13</u> Exhibit 2592-Part 1 of 3, # <u>14</u> Exhibit 2592-Part 2 of 3, # <u>15</u> Exhibit 2592-Part 3 of 3, # <u>16</u> Exhibit 2593-2607, # <u>17</u> Exhibit 2608-2622, # <u>18</u> Exhibit 2623-2637, # <u>19</u> Exhibit 2638-2652, # <u>20</u> Exhibit 2653-2667, # <u>21</u> Exhibit 2668-2682, # <u>22</u> Exhibit 2683-2697, # <u>23</u> Exhibit 2698-2704, # <u>24</u> Exhibit 2705-Part 1 of 2, # <u>25</u> Exhibit 2705-Part 2 of 2, # <u>26</u> Exhibit 2706-2717)(Mastro, Randy) Modified on 8/7/2012 (lb). (Entered: 08/07/2012)
08/07/2012	<u>561</u>	DECLARATION of Anne Champion in Opposition re: <u>517</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 2442-2454, # <u>2</u> Exhibit 2455-2464, # <u>3</u> Exhibit 2465-2475, # <u>4</u> Exhibit

		2476–2486, # <u>5</u> Exhibit 2487–2500, # <u>6</u> Exhibit 2501–2515, # <u>7</u> Exhibit 2516–2530, # <u>8</u> Exhibit 2531–2545, # <u>9</u> Exhibit 2546–2560, # <u>10</u> Exhibit 2561–2572, # <u>11</u> Exhibit 2573–2586, # <u>12</u> Exhibit 2587–2591, # <u>13</u> Exhibit 2592 Part 1 of 3, # <u>14</u> Exhibit 2592 Part 2 of 3, # <u>15</u> Exhibit 2592 Part 3 of 3, # <u>16</u> Exhibit 2593–2607, # <u>17</u> Exhibit 2608–2622, # <u>18</u> Exhibit 2623–2637, # <u>19</u> Exhibit 2638–2652, # <u>20</u> Exhibit 2653–2667, # <u>21</u> Exhibit 2668–2682, # <u>22</u> Exhibit 2683–2697, # <u>23</u> Exhibit 2698–2704, # <u>24</u> Exhibit 2705 Part 1 of 2, # <u>25</u> Exhibit 2705 Part 2 of 2, # <u>26</u> Exhibit 2706–2717)(Mastro, Randy) (Entered: 08/07/2012)
08/13/2012	<u>562</u>	MOTION to Compel DEFENDANTS STEVEN DONZIGER, THE LAW OFFICES OF STEVEN R. DONZIGER, DONZIGER & ASSOCIATES, PLLC, JAVIER PIAGUAJE PAYAGUAJE, AND HUGO GERARDO CAMACHO NARANJO to PRODUCE DOCUMENTS. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Mastro, Randy) (Entered: 08/13/2012)
08/15/2012	<u>563</u>	RESPONSE in Opposition re: <u>562</u> MOTION to Compel DEFENDANTS STEVEN DONZIGER, THE LAW OFFICES OF STEVEN R. DONZIGER, DONZIGER & ASSOCIATES, PLLC, JAVIER PIAGUAJE PAYAGUAJE, AND HUGO GERARDO CAMACHO NARANJO to PRODUCE DOCUMENTS.. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Doyle, Tyler) (Entered: 08/15/2012)
08/15/2012	<u>564</u>	RESPONSE in Opposition re: <u>562</u> MOTION to Compel DEFENDANTS STEVEN DONZIGER, THE LAW OFFICES OF STEVEN R. DONZIGER, DONZIGER & ASSOCIATES, PLLC, JAVIER PIAGUAJE PAYAGUAJE, AND HUGO GERARDO CAMACHO NARANJO to PRODUCE DOCUMENTS.. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit 1)(Werdegar, Matthew) (Entered: 08/15/2012)
08/15/2012	<u>565</u>	DECLARATION of Matthew M. Werdegar in Opposition re: <u>562</u> MOTION to Compel DEFENDANTS STEVEN DONZIGER, THE LAW OFFICES OF STEVEN R. DONZIGER, DONZIGER & ASSOCIATES, PLLC, JAVIER PIAGUAJE PAYAGUAJE, AND HUGO GERARDO CAMACHO NARANJO to PRODUCE DOCUMENTS.. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Werdegar, Matthew) (Entered: 08/15/2012)
08/15/2012	<u>566</u>	MOTION for Leave to File Amended Answer and Counterclaims. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger.(Keker, John) (Entered: 08/15/2012)
08/15/2012	<u>567</u>	MEMORANDUM OF LAW in Support re: <u>566</u> MOTION for Leave to File Amended Answer and Counterclaims.. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A)(Keker, John) (Entered: 08/15/2012)
08/16/2012	<u>568</u>	REPLY MEMORANDUM OF LAW in Support re: <u>517</u> MOTION to Dismiss for Lack of Jurisdiction.. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 08/16/2012)
08/20/2012	<u>569</u>	MEMORANDUM OF LAW in Opposition re: <u>553</u> MOTION for Leave to File Second Amended Answer to Amended Complaint Separate Defenses, and Jury Trial Demand.. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 08/20/2012)
08/20/2012	<u>570</u>	DECLARATION of Randy M. Mastro in Opposition re: <u>553</u> MOTION for Leave to File Second Amended Answer to Amended Complaint Separate Defenses, and Jury Trial Demand.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Mastro, Randy) (Entered: 08/20/2012)
08/24/2012	<u>571</u>	MEMORANDUM AND ORDER: denying <u>522</u> Motion to Quash. This ruling is without prejudice to PB's privilege and burden claims, which will be considered, if necessary, in the context of ruling on any Rule 45(c)(2)(8) objections to the subpoena, which PB shall file on or before September 7, 2012. The obligation to

		produce a privilege log is deferred pending further order of the Court save that PB's Rule 45(c)(2)(B) objections shall specify each category of document as to which it claims privilege or other protection in sufficient detail to permit evaluation of the claim to the extent that may be done categorically. Counsel shall meet in person and confer for as long as is necessary to discuss each of the subpoena specifications and each of PB's objections if any. They shall provide the Court with a joint letter, no later than September 14, 2012, setting out in the fashion employed in paragraph 22 of the supplemental declaration of S. Alyssa Young each remaining point in dispute. (Signed by Judge Lewis A. Kaplan on 8/23/2012) (pl) Modified on 8/27/2012 (mt). (Entered: 08/24/2012)
08/24/2012	<u>572</u>	ORDER denying <u>517</u> Motion to Dismiss for Lack of Jurisdiction. These issues best would be decided after the completion of discovery. Accordingly, the LAP Representatives' motion to dismiss for lack of personal jurisdiction [DI 517] is denied without prejudice to renewal after the completion of discovery. (Signed by Judge Lewis A. Kaplan on 8/23/2012) (pl) Modified on 8/28/2012 (pl). (Entered: 08/24/2012)
08/30/2012	<u>573</u>	REPLY MEMORANDUM OF LAW in Support re: <u>553</u> MOTION for Leave to File Second Amended Answer to Amended Complaint Separate Defenses, and Jury Trial Demand.. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 08/30/2012)
09/04/2012	<u>574</u>	MEMORANDUM OF LAW in Opposition re: <u>566</u> MOTION for Leave to File Amended Answer and Counterclaims.. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 09/04/2012)
09/04/2012	<u>575</u>	DECLARATION of Jason B. Stavers in Opposition re: <u>566</u> MOTION for Leave to File Amended Answer and Counterclaims.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 2718, # <u>2</u> Exhibit 2719, # <u>3</u> Exhibit 2720, # <u>4</u> Exhibit 2721)(Mastro, Randy) (Entered: 09/04/2012)
09/05/2012	<u>576</u>	MEMO ENDORSEMENT on <u>554</u> Motion for Justina K. Sessions to Appear Pro Hac Vice. Granted. (Signed by Judge Lewis A. Kaplan on 9/5/2012) (ft) (Entered: 09/05/2012)
09/05/2012	<u>577</u>	DISCOVERY STIPULATION: The parties hereby stipulate to the following agreements concerning discovery in the above-referenced matter. The Parties agree to move jointly for approval of this stipulation to the extent certain of the terms agreed upon herein require the Court's approval. The parties have agreed to a general schedule governing document productions. Specifically, each party will begin producing non-objectionable materials: (a) within twenty-one (21) days of serving written responses to another party's requests for production ("RFPs"); and/or (b) within twenty-one (21) days of successful meet-and-confer efforts resolving objections to the production of broad identifiable categories of materials as further set forth in this order. (Signed by Judge Lewis A. Kaplan on 9/4/2012) (lmb) (Entered: 09/05/2012)
09/07/2012	<u>578</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from John W. Kecker dated 9/6/12 re: Counsel for Donziger requests permission to file a reply brief of no longer than 30 pages and requests a short extension of the filing deadline to 9/20/12. ENDORSEMENT: Time extended to and including 9/18/2012. Reply memo not to exceed 15 pages. ( Replies due by 9/18/2012.) (Signed by Judge Lewis A. Kaplan on 9/7/2012) (mro) (Entered: 09/07/2012)
09/07/2012	<u>579</u>	RESPONSE to Discovery Request from Chevron.Document filed by Patton Boggs LLP.(Young, S. Alyssa) (Entered: 09/08/2012)
09/14/2012	<u>580</u>	REPLY MEMORANDUM OF LAW in Opposition re: <u>562</u> MOTION to Compel DEFENDANTS STEVEN DONZIGER, THE LAW OFFICES OF STEVEN R. DONZIGER, DONZIGER & ASSOCIATES, PLLC, JAVIER PIAGUAJE PAYAGUAJE, AND HUGO GERARDO CAMACHO NARANJO to PRODUCE DOCUMENTS.. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Doyle, Tyler) (Entered: 09/14/2012)

09/18/2012	<u>581</u>	REPLY MEMORANDUM OF LAW in Support re: <u>566</u> MOTION for Leave to File Amended Answer and Counterclaims.. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Keker, John) (Entered: 09/18/2012)
09/19/2012	<u>582</u>	ORDER: The Court will hear argument on Patton Boggs LLC's objections to the subpoena served upon it by plaintiff commencing at 11:00 a.m. on September 25, 2012 in Courtroom 21B. SO ORDERED.( Oral Argument set for 9/25/2012 at 11:00 AM in Courtroom 21B, 500 Pearl Street, New York, NY 10007 before Judge Lewis A. Kaplan.) (Signed by Judge Lewis A. Kaplan on 9/19/2012) (ama) (Entered: 09/19/2012)
09/25/2012		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Motion Hearing held on 9/25/2012 re: <u>522</u> MOTION to Quash Subpoena Duces Tecum of Patton Boggs filed by Patton Boggs LLP. To be continued on 9/27/12. (lmb) (Entered: 10/11/2012)
09/27/2012		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Motion Hearing held on 9/27/2012: Case called for continued motion argument. Argument held. Argument concluded. The court will enter an order with rulings, general objections and further instructions. Within 2 weeks after the order is entered, the additional submissions to be filed not to exceed 15 pages w/out leave of the court. Plaintiff to respond within 10 days. (cd) (Entered: 10/04/2012)
10/05/2012	<u>583</u>	MOTION for Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT ON ITS EIGHTH CLAIM FOR RELIEF (VIOLATION OF NEW YORK JUDICIARY LAW § 487)</i> . Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 10/05/2012)
10/05/2012	<u>584</u>	MEMORANDUM OF LAW in Support re: <u>583</u> MOTION for Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT ON ITS EIGHTH CLAIM FOR RELIEF (VIOLATION OF NEW YORK JUDICIARY LAW § 487)</i> .. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 10/05/2012)
10/05/2012	<u>585</u>	RULE 56.1 STATEMENT. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 10/05/2012)
10/05/2012	<u>586</u>	DECLARATION of Randy M. Mastro in Support re: <u>583</u> MOTION for Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT ON ITS EIGHTH CLAIM FOR RELIEF (VIOLATION OF NEW YORK JUDICIARY LAW § 487)</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 2800, # <u>2</u> Exhibit 2801, # <u>3</u> Exhibit 2802, # <u>4</u> Exhibit 2803, # <u>5</u> Exhibit 2804, # <u>6</u> Exhibit 2805, # <u>7</u> Exhibit 2806, # <u>8</u> Exhibit 2807, # <u>9</u> Exhibit 2808, # <u>10</u> Exhibit 2809, # <u>11</u> Exhibit 2810, # <u>12</u> Exhibit 2811, # <u>13</u> Exhibit 2812, # <u>14</u> Exhibit 2813, # <u>15</u> Exhibit 2814, # <u>16</u> Exhibit 2815, # <u>17</u> Exhibit 2816, # <u>18</u> Exhibit 2817, # <u>19</u> Exhibit 2818, # <u>20</u> Exhibit 2819, # <u>21</u> Exhibit 2820, # <u>22</u> Exhibit 2821, # <u>23</u> Exhibit 2822, # <u>24</u> Exhibit 2823, # <u>25</u> Exhibit 2824, # <u>26</u> Exhibit 2825)(Mastro, Randy) (Entered: 10/05/2012)
10/09/2012	<u>587</u>	ORDER: The Court will hold a conference on the status of the parties' efforts to reach resolution on disputes concerning Chevron's Requests for the Production of Documents at 10 a.m. on October 18,2012 in Courtroom 21B. SO ORDERED. ( Status Conference set for 10/18/2012 at 10:00 AM in Courtroom 21B, 500 Pearl Street, New York, NY 10007 before Judge Lewis A. Kaplan.) (Signed by Judge Lewis A. Kaplan on 10/09/2012) (ama) (Entered: 10/09/2012)
10/10/2012	<u>591</u>	NONPARTY'S MOTION TO QUASH OR LIMIT CHEVRON SUBPOENA. Document filed by John Rodgers.(rjm) (Entered: 10/17/2012)
10/10/2012	<u>592</u>	NONPARTY'S MOTION TO QUASH OR LIMIT CHEVRON SUBPOENA. Document filed by Laura Belanger.(rjm) (Entered: 10/17/2012)
10/11/2012	<u>588</u>	MEMO ENDORSEMENT ON NONPARTY'S MOTION TO QUASH OR LIMIT CHEVRON SUBPOENA: I am representing myself pro se, and provide this Motion to Quash and/or Limit Subpoena. Google was served a subpoena in case no. 11–civ–0691 to turn over personal and account information regarding my gmail account including: (A) detailed account information; and (B) usage of my



		gmail, among other information. ENDORSEMENT: Fed. R. Civ. P. 45(c)(3) provides that "the issuing court must quash or modify a subpoena" on timely motion in circumstances there specified. Any motion to quash or modify therefore must be made in the issuing court, which was the United States District Court for the Northern District of California and not this Court. 9 MOORE'S FEDERAL PRACTICE § 45.50.4 (4th ed. 2012) ("only the issuing court has the power to grant a motion to quash or modify the subpoena"). Accordingly, this motion to quash or modify the subpoena is denied without prejudice to a proper filing in the issuing court. (Signed by Judge Lewis A. Kaplan on 10/11/2012) (ja) (Entered: 10/11/2012)
10/12/2012	<u>589</u>	STIPULATION AND ORDER: Set Deadlines/Hearing as to <u>583</u> MOTION for Summary Judgment: Responses due by 11/5/2012. Chevron Corporation shall have up to 14 days, plus any additional days afforded due to the method of service, to file a reply brief. (Signed by Judge Lewis A. Kaplan on 10/12/2012) (cd) (Entered: 10/12/2012)
10/16/2012	<u>590</u>	ENDORSED LETTER: addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 10/15/2012 re: Counsel for Plaintiff requests that this Court authorize Counsels colleagues Andrea Neuman and Jason Stavers to bring an iPad and Laptop, respectively, to court in order to access materials relevant to the conference. ENDORSEMENT: Denied. The Court sees no such need. So Ordered. (Signed by Judge Lewis A. Kaplan on 10/16/2012) (js) (Entered: 10/16/2012)
10/17/2012	<u>593</u>	NOTICE OF APPEARANCE by Michael Erik Sims on behalf of Douglas Beltman, Ann Maest, Stratus Consulting, Inc. (Sims, Michael) (Entered: 10/17/2012)
10/18/2012	<u>594</u>	ORDER: In connection with their efforts to resolve outstanding discovery disputes, the parties' attention is drawn to OS Recovery, Inc. v. One Group International, Inc., No. 02 Civ. 8993 (LAK), 2005 WL 1828736, at *2 n.1 (S.D.N.Y. Aug. 3,2005). (Signed by Judge Lewis A. Kaplan on 10/18/2012) (ft) (Entered: 10/18/2012)
10/18/2012	<u>595</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 9/25/2012 before Judge Lewis A. Kaplan. Court Reporter/Transcriber: Vincent Bologna, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/13/2012. Redacted Transcript Deadline set for 11/26/2012. Release of Transcript Restriction set for 1/22/2013.(Moya, Goretti) (Entered: 10/18/2012)
10/18/2012	<u>596</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 9/25/2012 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Moya, Goretti) (Entered: 10/18/2012)
10/18/2012	<u>597</u>	MEMO ENDORSEMENT on <u>591</u> Motion to Quash. Fed. R. Civ. P. 45(c)(3) provides that "the issuing court must quash or modify a subpoena" on timely motion in circumstances there specified. Any motion to quash or modify therefore must be made in the issuing court. 9 MOORE'S FEDERAL PRACTICE § 45.50.4 (4th ed. 2012) ("only the issuing court has the power to grant a motion to quash or modify the subpoena"). While this motion neither attaches the subpoena nor identifies the court that issued it, it does state that it is the same subpoena issued to Google that called for information with respect to Laura Belinger. That subpoena was issued by the United States District Court for the Northern District of California. In any case, there is no reason to suppose that the subpoena in question was issued by this Court. Accordingly, this motion to quash or modify the subpoena is denied without prejudice to a proper filing in the issuing court. (Signed by Judge Lewis A. Kaplan on 10/18/2012) (ft) (Entered: 10/18/2012)
10/18/2012		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Scheduling Conference held on 10/18/2012. Trial scheduled to begin either on 10/15/2013 or to follow USA v. Fawwaz and Bary, 98cr1023(LAK). (tro) (Entered: 10/22/2012)

10/23/2012	<u>598</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 10/18/2012 before Judge Lewis A. Kaplan. Court Reporter/Transcriber: Thomas Murray, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/16/2012. Redacted Transcript Deadline set for 11/29/2012. Release of Transcript Restriction set for 1/25/2013.(Moya, Goretti) (Entered: 10/23/2012)
10/23/2012	<u>599</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 10/18/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Moya, Goretti) (Entered: 10/23/2012)
10/23/2012	<u>600</u>	MOTION for Judgment on the Pleadings <i>Defendants Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje's Notice of Motion for Judgment on the Pleadings</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(Doyle, Tyler) (Entered: 10/23/2012)
10/23/2012	<u>601</u>	MEMORANDUM OF LAW in Support re: <u>600</u> MOTION for Judgment on the Pleadings <i>Defendants Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje's Notice of Motion for Judgment on the Pleadings..</i> Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 10/23/2012)
10/24/2012	<u>602</u>	TRANSCRIPT of Proceedings re: ARGUMENT held on 9/27/2012 before Judge Lewis A. Kaplan. Court Reporter/Transcriber: Tara Jones, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/19/2012. Redacted Transcript Deadline set for 11/29/2012. Release of Transcript Restriction set for 1/25/2013.(McGuirk, Kelly) (Entered: 10/24/2012)
10/24/2012	<u>603</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a ARGUMENT proceeding held on 9/27/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 10/24/2012)
10/24/2012	<u>604</u>	TRANSCRIPT of Proceedings re: CONFERENCE CORRECTED held on 9/25/2012 before Judge Lewis A. Kaplan. Court Reporter/Transcriber: Vincent Bologna, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/19/2012. Redacted Transcript Deadline set for 11/29/2012. Release of Transcript Restriction set for 1/25/2013.(McGuirk, Kelly) (Entered: 10/24/2012)
10/24/2012	<u>605</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CORRECTED TRANSCRIPT proceeding held on 9/25/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 10/24/2012)
10/25/2012	<u>606</u>	TRIAL ORDER: This case is on the Court's ready trial calendar. The Court currently expects to reach this case on 10/15/13 but you must be ready to proceed either earlier or later than that date. The Court Clerk, Andrew Mohan, will give counsel as much notice as possible and keep them advised of the progress of the calendar. You are instructed to take the following steps in connection with the trial. 1. At the commencement of trial, a complete set of documentary exhibits should be

		handed to the Judge for his use during the trial, and a list of all exhibits should be supplied to the Court Clerk and to the Judge, with all exhibits numbered in uniformity with the pretrial order. Counsel should also have for the Judge copies of any depositions which are to be read in a jury case. 2. Counsel are expected to have all necessary witnesses on hand to commence and continue trial. The court cannot commit itself to wait for witnesses. THE FAILURE TO HAVE A WITNESS READY TO PROCEED MAY RESULT IN THE PARTY RESTING ITS CASE. 3. PRIOR TO THE TRIAL, ALL EXHIBITS MUST BE PRE-MARKED AND EXCHANGED BETWEEN COUNSEL. 4. Lastly, counsel will schedule an appointment with the courtroom deputy in order to familiarize themselves with the electronic courtroom evidence presentation system in courtroom 21B. (Signed by Judge Lewis A. Kaplan on 10/25/2012) (ft) Modified on 10/25/2012 (ft). (Entered: 10/25/2012)
10/25/2012		Set/Reset Deadlines: Ready for Trial by 10/15/2013. (ft) (Entered: 10/25/2012)
10/25/2012	<u>607</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from John W. Kecker dated 10/23/2012 re: Counsel requests that Court continue Donziger's deadline to respond to Chevron's Motion for Summary judgment until after May 31, 2013. ENDORSEMENT: Denied without prejudice to a 56(d) application. (Signed by Judge Lewis A. Kaplan on 10/25/2012) (ft) (Entered: 10/25/2012)
11/05/2012	<u>609</u>	STIPULATION AND ORDER: IT IS HEREBY STIPULATED that the time for Defendants Steven Donziger, The Law Offices of Steven R. Donziger and Donziger & Associates, PLLC to file papers in opposition to Chevron Corporation's Motion for Summary Judgment on its Eighth Claim for Relief(Dkt. No. 583), and its related Statement of Material Facts, is extended by three days, to November 7, 2012., ( Responses due by 11/7/2012.) (Signed by Judge Lewis A. Kaplan on 11/5/2012) (lmb) (Entered: 11/07/2012)
11/06/2012	<u>608</u>	MOTION to Compel DEFENDANTS STEVEN DONZIGER, THE LAW OFFICES OF STEVEN R. DONZIGER, DONZIGER & ASSOCIATES, PLLC, JAVIER PIAGUAJE PAYAGUAJE, AND HUGO GERARDO CAMACHO NARANJO to PRODUCE DOCUMENTS. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit 1, # <u>5</u> Exhibit 2, # <u>6</u> Exhibit 3, # <u>7</u> Exhibit 4, # <u>8</u> Exhibit 5, # <u>9</u> Exhibit 6, # <u>10</u> Exhibit 7, # <u>11</u> Exhibit 8, # <u>12</u> Exhibit 9, # <u>13</u> Exhibit 10, # <u>14</u> Exhibit 11, # <u>15</u> Exhibit 12, # <u>16</u> Exhibit 13, # <u>17</u> Exhibit 14, # <u>18</u> Exhibit 15, # <u>19</u> Exhibit 16, # <u>20</u> Exhibit 17, # <u>21</u> Exhibit 18, # <u>22</u> Exhibit 19, # <u>23</u> Exhibit 20, # <u>24</u> Exhibit 21)(Mastro, Randy) (Entered: 11/06/2012)
11/08/2012	<u>610</u>	CORRECTED STIPULATION AND ORDER: that the time for Defendants Steven Donziger, The Law Offices of Steven R. Donziger and Donziger & Associates, PLLC to file papers in opposition to Chevron Corporation's Motion for Summary Judgment on its Eighth Claim for Relief (Dkt. No. 583), and its related Statement of Material Facts, is extended by three days, to November 8, 2012, Set Deadlines/Hearing as to <u>583</u> MOTION for Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT ON ITS EIGHTH CLAIM FOR RELIEF (VIOLATION OF NEW YORK JUDICIARY LAW § 487)</i> . ( Responses due by 11/8/2012) (Signed by Judge Lewis A. Kaplan on 11/7/2012) (ae) (Entered: 11/08/2012)
11/08/2012	<u>611</u>	MEMORANDUM OF LAW in Opposition re: <u>583</u> MOTION for Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT ON ITS EIGHTH CLAIM FOR RELIEF (VIOLATION OF NEW YORK JUDICIARY LAW § 487)</i> .. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Keker, John) (Entered: 11/08/2012)
11/08/2012	<u>612</u>	COUNTER STATEMENT TO <u>585</u> Rule 56.1 Statement. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Keker, John) (Entered: 11/09/2012)
11/09/2012	<u>613</u>	DECLARATION of MATTHEW M. WERDEGAR in Support re: <u>583</u> MOTION for Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT ON ITS EIGHTH CLAIM FOR RELIEF (VIOLATION OF NEW YORK JUDICIARY LAW § 487)</i> .. Document filed by

		Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Exhibit S, # <u>20</u> Exhibit T)(Keker, John) (Entered: 11/09/2012)
11/09/2012	<u>614</u>	COUNTER STATEMENT TO <u>585</u> Rule 56.1 Statement. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Keker, John) (Entered: 11/09/2012)
11/09/2012	<u>615</u>	MEMORANDUM OF LAW in Opposition re: <u>600</u> MOTION for Judgment on the Pleadings <i>Defendants Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje's Notice of Motion for Judgment on the Pleadings..</i> Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 11/09/2012)
11/12/2012	<u>616</u>	RESPONSE in Opposition re: <u>608</u> MOTION to Compel DEFENDANTS STEVEN DONZIGER, THE LAW OFFICES OF STEVEN R. DONZIGER, DONZIGER & ASSOCIATES, PLLC, JAVIER PIAGUAJE PAYAGUAJE, AND HUGO GERARDO CAMACHO NARANJO to PRODUCE DOCUMENTS.. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2 part 1, # <u>3</u> Exhibit 2 part 2, # <u>4</u> Exhibit 2 part 3, # <u>5</u> Exhibit 2 part 4, # <u>6</u> Exhibit 2 part 5, # <u>7</u> Exhibit 2 part 6, # <u>8</u> Exhibit 3)(Doyle, Tyler) (Entered: 11/12/2012)
11/12/2012	<u>617</u>	RESPONSE in Opposition re: <u>608</u> MOTION to Compel DEFENDANTS STEVEN DONZIGER, THE LAW OFFICES OF STEVEN R. DONZIGER, DONZIGER & ASSOCIATES, PLLC, JAVIER PIAGUAJE PAYAGUAJE, AND HUGO GERARDO CAMACHO NARANJO to PRODUCE DOCUMENTS.. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Keker, John) (Entered: 11/12/2012)
11/15/2012	<u>618</u>	MOTION for Protective Order <i>to Strike the LAPs Requests for Production.</i> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11)(Mastro, Randy) (Entered: 11/15/2012)
11/16/2012	<u>619</u>	MOTION for Protective Order <i>Striking the LAPs Request for Production (CORRECTED).</i> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12)(Mastro, Randy) (Entered: 11/16/2012)
11/16/2012	<u>620</u>	STIPULATION AND ORDER: IT IS HEREBY STIPULATED that the time for Defendants Steven Donziger, The Law Offices of Steven R. Donziger and Donziger & Associates, PLLC to file papers in opposition to Chevron Corporation's Motion to Compel (Dkt. No. 680), is extended to Monday, November 12, 2012. IT IS SO ORDERED. ( Responses due by 11/12/2012) (Signed by Judge Lewis A. Kaplan on 11/16/2012) (ama) (Entered: 11/16/2012)
11/16/2012	<u>621</u>	ORDER: On the basis and subject to the limitations set forth on the record on September 25, 2012 (Tr. 3:22-7:24) and to existing or subsequent agreements between plaintiff and Patton Boggs LLC ("PB"), PB's responses and objections to plaintiffs subpoena to produce documents (the "Subpoena") are disposed of as follows: As set forth herein. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 11/16/2012) (ama) (Entered: 11/16/2012)
11/19/2012	<u>622</u>	REPLY MEMORANDUM OF LAW in Support re: <u>600</u> MOTION for Judgment on the Pleadings <i>Defendants Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje's Notice of Motion for Judgment on the Pleadings..</i> Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit A)(Doyle, Tyler) (Entered: 11/19/2012)
11/19/2012	<u>623</u>	RESPONSE to Motion re: <u>619</u> MOTION for Protective Order <i>Striking the LAPs Request for Production (CORRECTED).</i> MOTION for Protective Order <i>Striking</i>



		<i>the LAPs Request for Production (CORRECTED)</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4 (pt 1), # <u>5</u> Exhibit 4 (pt 2), # <u>6</u> Exhibit 5)(Doyle, Tyler) (Entered: 11/19/2012)
11/19/2012	<u>624</u>	MOTION to Compel Chevron Corporation to Produce. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10 – Part 1, # <u>11</u> Exhibit 10 – Part 2, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15, # <u>17</u> Exhibit 16)(Keker, John) (Entered: 11/19/2012)
11/20/2012	<u>625</u>	Letter addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 11/19/2012 re: counsel for Plaintiff Chevron Corporation ("Chevron") to provide the Court with a definition of "NGO," as the Court directed in its November 16 order, thereby permitting it to resolve remaining issues relating to Request No. 54 in Chevron's subpoena to Patton Boggs. We propose accepting the definition for "NGO" used by the USAID. We provided this same definition to Patton Boggs' counsel in open court during the September 27 hearing before Your Honor. It reads as follows: "The term nongovernmental organization (NGO) encompasses any private or nonprofit organization that is formed or organized independently from a national or local government entity." PVO Registration Frequently Asked Questions, USAID Office of Innovation and Development Alliances, <a href="http://idea.usaid.gov/ls/pvo/faq#q1">http://idea.usaid.gov/ls/pvo/faq#q1</a> (last visited Nov. 18, 2012). Document filed by Chevron Corporation.(js) (Entered: 11/21/2012)
11/20/2012	<u>626</u>	ENDORSED LETTER: addressed to Judge Lewis A. Kaplan from S. Alyssa Young dated 11/19/2012 re: Counsel write on behalf of Patton Boggs LLP ("Patton Boggs") in response to Chevron Corporation's ("Chevron") letter of today proposing a definition of the term "NGO," in connection with request 54 of Chevron's subpoena to Patton Boggs. ENDORSEMENT: "The objection to the proposed definition of "NGO" is sustained. Chevron may provide Patton Boggs with the names of organizations it has in mind."(Signed by Judge Lewis A. Kaplan on 11/20/2012) (js) (Entered: 11/21/2012)
11/21/2012	<u>627</u>	Letter addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 11/14/2012 re: Counsel to Chevron Corporation requests the Court's permission to submit this letter to correct certain misstatements in Defendants recently filed opposition to Chevron's motion to compel. Document filed by Chevron Corporation.(js) (Entered: 11/21/2012)
11/21/2012	<u>628</u>	Letter addressed to Judge Lewis A. Kaplan from Jan Little dated 11/16/2012 re: Counsel for defendants write once again, Chevron flouts this Court's Individual Practices regarding discovery disputes in ECF cases by effectively submitting an unauthorized reply in the form of a letter brief. Defendants request that the Court reject the letter or, alternatively, accept this letter as surreply. Document filed by Hugo Gerardo Camacho Naranjo.(js) (Entered: 11/21/2012)
11/21/2012	<u>629</u>	MEMORANDUM OF LAW in Opposition re: <u>624</u> MOTION to Compel Chevron Corporation to Produce.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Mastro, Randy) (Entered: 11/21/2012)
11/26/2012	<u>630</u>	REPLY MEMORANDUM OF LAW in Support re: <u>583</u> MOTION for Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT ON ITS EIGHTH CLAIM FOR RELIEF (VIOLATION OF NEW YORK JUDICIARY LAW § 487)</i> .. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 11/26/2012)
11/26/2012	<u>631</u>	DECLARATION of Jason B. Stavers in Support re: <u>583</u> MOTION for Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT ON ITS EIGHTH CLAIM FOR RELIEF (VIOLATION OF NEW YORK JUDICIARY LAW § 487)</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 2900, # <u>2</u> Exhibit 2901, # <u>3</u> Exhibit 2902, # <u>4</u> Exhibit 2903, # <u>5</u> Exhibit 2904, # <u>6</u> Exhibit 2905, # <u>7</u> Exhibit 2906, # <u>8</u> Exhibit 2907, # <u>9</u> Exhibit 2908, # <u>10</u> Exhibit 2909, # <u>11</u> Exhibit 2910, # <u>12</u> Exhibit 2911)(Mastro, Randy) (Entered: 11/26/2012)

11/26/2012	<u>632</u>	REPLY re: <u>630</u> Reply Memorandum of Law in Support of Motion, <i>CHEVRON CORPORATIONS REPLY IN SUPPORT OF LOCAL RULE 56.1 STATEMENT OF MATERIAL FACTS</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 11/26/2012)
11/27/2012	<u>633</u>	ORDER terminating <u>608</u> Motion to Compel; denying <u>619</u> Motion for Protective Order; terminating <u>624</u> Motion to Compel. Plaintiff's motion for a protective order to strike certain requests for production of documents and things [DI 619] is denied without prejudice to its objections to the requests, which will be addressed in a more appropriate fashion. The parties shall meet and confer concerning Chevron's objections and shall complete that process no later than December 7, 2012. No later than December 12, 2012 they shall provide the Court with a joint submission setting out the issues and requests that remain in dispute and their respective positions as to each. Also by December 12, 2012, the parties shall provide the Court with joint submissions regarding plaintiff's motion to compel defendants to produce documents [DI 608] and defendant Danziger's motion to compel Chevron to produce documents [DI 624]. The parties shall set out the issues and requests that remain in dispute and their respective positions as to each. The Court will hear the parties orally beginning at 10:30 a.m. on December 19, 2012 and shall continue on December 20 and 21 if needed. The Clerk shall terminate DI 608 and DI 624 administratively, as the matters with which they deal will be handled in this fashion. (Signed by Judge Lewis A. Kaplan on 11/27/2012) (mro) (Entered: 11/27/2012)
11/27/2012		Set/Reset Hearings: Oral Argument set for 12/19/2012 at 10:30 AM before Judge Lewis A. Kaplan. (mro) (Entered: 11/27/2012)
11/27/2012	<u>634</u>	MEMO ENDORSEMENT granting in part and denying in part <u>600</u> Motion for Judgment on the Pleadings. ENDORSEMENT: The motion of the LAP Representatives for judgment on the pleadings dismissing the amended complaint [DI 600] is granted to the extent that so much of the third claim for relief as is premised on detrimental reliance by Chevron and the fourth through the sixth claims for relief all are dismissed, provided, however, that the dismissal of the claim for damages asserted in the sixth claim is dismissed only as premature. <i>Chevron Corp. v. Donziger</i> , __F. Supp.2d__, No. 11 Civ. 0691 (LAK), 2012 WL 1711521 (S.D.N.Y. May 14, 2012). It is denied in all other respects. The Court adds only this: The LAP Representatives use this motion to attempt to reargue the point decided adversely to their point off view on the similar motion of their attorney, Steven Donziger, viz. whether, as a matter of New York law, a claim for common law fraud lies based on third-party reliance to the injury of the plaintiff; as further set forth herein. (Signed by Judge Lewis A. Kaplan on 11/27/2012) (mro) (Entered: 11/27/2012)
11/27/2012	<u>635</u>	MEMO ENDORSEMENT on re: <u>591</u> NONPARTY'S MOTION TO QUASH OR LIMIT CHEVRON SUBPOENA filed by John Rodgers. ENDORSEMENT: John Rodgers moves pro se to quash or limit a subpoena served upon Google in this case. The motion does not contain a copy of the subpoena or identify the court by which it was issued. It states, however, that Mr. Rodgers is the husband of Laura Belanger and says that she also was listed on the subpoena. She too moved to quash [DI 592], and her motion attached the subpoena, which was issued by the United States District Court for the Northern District of California. Fed. R. Civ. P. 45(c)(3) provides that "the issuing court must quash or modify a subpoena" on timely motion in circumstances there specified. Any motion to quash or modify therefore must be made in the issuing court, which was the United States District Court for the Northern District of California and not this Court. 9 MOORE'S FEDERAL PRACTICE § 45.50.4 (4th ed. 2012) ("only the issuing court has the power to grant a motion to quash or modify the subpoena"). Accordingly, this motion to quash or modify the subpoena is denied without prejudice to a proper filing in the issuing court. (Signed by Judge Lewis A. Kaplan on 11/27/2012) (mro) (Entered: 11/27/2012)
11/27/2012	<u>636</u>	ORDER: Chevron's proposed definition of "NGO" as used in Specification 54 of the subpoena to Patton Boggs, at least given the context of a subpoena to a non-party, is too broad. Accordingly, the Court's ruling on Patton Boggs' objection to that Specification [DI 621, paragraph 7] stands. (Signed by Judge Lewis A. Kaplan on 11/27/2012) (mro) (Entered: 11/27/2012)

11/27/2012	<u>637</u>	ORDER: denying <u>553</u> Motion for Leave to File Document for all the reasons stated in the Court's opinion on plaintiff's motion for partial summary judgment. (Signed by Judge Lewis A. Kaplan on 11/27/2012) (pl) (Entered: 11/27/2012)
11/27/2012	<u>638</u>	ORDER: granting in part and denying in part <u>566</u> Motion for Leave to File Document. Defendant Donziger' s motion for leave to file an amended answer [DI 566] is granted to the extent it seeks to assert counterclaims. It is otherwise denied for the reasons set forth in the Court's order on the LAP Representatives' motion for leave to amend their answer. To the extent that the motion is granted, the ruling is without prejudice to a motion to dismiss the newly-added counterclaims, which is a preferable vehicle for a challenge to the sufficiency of the claims. (Signed by Judge Lewis A. Kaplan on 11/27/2012) (pl) (Entered: 11/27/2012)
11/28/2012	<u>639</u>	NOTICE OF APPEARANCE by Kathryn Lee Crawford on behalf of Kemperi Baihua Huani, Ahua Baihua Caiga, Pentibo Baihua Miipo, Dabota Tega Huani, Ahuame Huani Baihua, Apra Quemperi Yate, Bai Baihua Miipo, Bebanca Tega Huani, Comita Huani Yate, Cope Tega Huani, Ehuenguinto Tega, gaware Tega Huani, Martin Baihua Miipo, Mencay Baihua Tega, menemo Huani Baihua, Miipo Yatehue Kemperi, Minihua Huani Yate, Nama Baihua Huani, Namu Huani Yate, Omari Apica Huani, Omene Baihua Huani, Yehua Tega Huani, Wagui Coba Huani, Weica Apica Huani, Tepaa Quimontari Waiwa, Nenquimo Venancio Nihua, Compa Guiquita, Conta Nenquimo Quimontari, Daniel Ehuengei, Nantoqui Nenquimo, Okata Quipa Nihua, Cai Baihua Quemperi, Omayihue Baihua, Tapare Ahua Yete, Teweyene Luciana Nama Tega, Abamo Omene, Onenca Enomenga, Pego Enomenga, Wane Ima, Wina Enomenga, Cahuiya Omaca, Mima Yeti (Crawford, Kathryn) (Entered: 11/28/2012)
11/28/2012	<u>640</u>	NOTICE OF APPEARANCE by Kathryn Lee Crawford on behalf of Ahuame Huani Baihua, Omayihue Baihua, menemo Huani Baihua, Ahua Baihua Caiga, Daniel Ehuengei, Onenca Enomenga, Pego Enomenga, Wina Enomenga, Compa Guiquita, Bebanca Tega Huani, Cope Tega Huani, Dabota Tega Huani, Kemperi Baihua Huani, Nama Baihua Huani, Omari Apica Huani, Omene Baihua Huani, Wagui Coba Huani, Weica Apica Huani, Yehua Tega Huani, gaware Tega Huani, Wane Ima, Miipo Yatehue Kemperi, Bai Baihua Miipo, Martin Baihua Miipo, Pentibo Baihua Miipo, Nantoqui Nenquimo, Nenquimo Venancio Nihua, Okata Quipa Nihua, Cahuiya Omaca, Abamo Omene, Cai Baihua Quemperi, Conta Nenquimo Quimontari, Ehuenguinto Tega, Mencay Baihua Tega, Teweyene Luciana Nam Tega, Tepaa Quimontari Waiwa, Apra Quemperi Yate, Comita Huani Yate, Minihua Huani Yate, Namu Huani Yate, Tapare Ahua Yete, Mima Yeti (Crawford, Kathryn) (Entered: 11/28/2012)
11/28/2012	<u>641</u>	<b>FILING ERROR – DEFICIENT DOCKET ENTRY</b> – MOTION to Intervene. Document filed by Ahuame Huani Baihua, Omayihue Baihua, menemo Huani Baihua, Ahua Baihua Caiga, Daniel Ehuengei, Onenca Enomenga, Pego Enomenga, Wina Enomenga, Compa Guiquita, Bebanca Tega Huani, Cope Tega Huani, Dabota Tega Huani, Kemperi Baihua Huani, Nama Baihua Huani, Omari Apica Huani, Omene Baihua Huani, Wagui Coba Huani, Weica Apica Huani, Yehua Tega Huani, gaware Tega Huani, Wane Ima, Miipo Yatehue Kemperi, Bai Baihua Miipo, Martin Baihua Miipo, Pentibo Baihua Miipo, Nantoqui Nenquimo, Nenquimo Venancio Nihua, Okata Quipa Nihua, Cahuiya Omaca, Abamo Omene, Cai Baihua Quemperi, Conta Nenquimo Quimontari, Ehuenguinto Tega, Mencay Baihua Tega, Teweyene Luciana Nam Tega, Tepaa Quimontari Waiwa, Apra Quemperi Yate, Comita Huani Yate, Minihua Huani Yate, Namu Huani Yate, Tapare Ahua Yete, Mima Yeti. (Attachments: # <u>1</u> Motion to Intervene, # <u>2</u> Appendix Appendix of Unreported Cases, # <u>3</u> Appendix Exhibit 1 to Appendix, # <u>4</u> Appendix Exhibit 2 to Appendix)(Crawford, Kathryn) Modified on 11/29/2012 (db). (Entered: 11/28/2012)
11/28/2012	<u>642</u>	<b>FILING ERROR – DEFICIENT DOCKET ENTRY</b> – DECLARATION of Judith Kimerling in Support re: <u>641</u> MOTION to Intervene. Document filed by Ahuame Huani Baihua, Omayihue Baihua, menemo Huani Baihua, Ahua Baihua Caiga, Daniel Ehuengei, Onenca Enomenga, Pego Enomenga, Wina Enomenga, Compa Guiquita, Bebanca Tega Huani, Cope Tega Huani, Dabota Tega Huani, Kemperi Baihua Huani, Nama Baihua Huani, Omari Apica Huani, Omene Baihua Huani, Wagui Coba Huani, Weica Apica Huani, Yehua Tega Huani, gaware Tega Huani, Wane Ima, Miipo Yatehue Kemperi, Bai Baihua Miipo, Martin Baihua

		Miipo, Pentibo Baihua Miipo, Nantoqui Nenquimo, Nenquimo Venancio Nihua, Okata Quipa Nihua, Cahuiya Omaca, Abamo Omene, Cai Baihua Quemperi, Conta Nenquimo Quimontari, Ehuenguinto Tega, Mencay Baihua Tega, Teweyene Luciana Nam Tega, Tepaa Quimontari Waiwa, Apará Quemperi Yate, Comita Huani Yate, Minihua Huani Yate, Namo Huani Yate, Tapare Ahua Yete, Mima Yeti. (Attachments: # <u>1</u> Exhibit A to Kimerling Declaration – Cross-Complaint of Intervention, # <u>2</u> Exhibit B to Kimerling Declaration, # <u>3</u> Exhibit C to Kimerling Declaration, # <u>4</u> Exhibit D to Kimerling Declaration)(Crawford, Kathryn) Modified on 11/29/2012 (db). (Entered: 11/28/2012)
11/28/2012	<u>643</u>	COUNTERCLAIM against Chevron Corporation.Document filed by Donziger & Associates, PLLC, Steven Donziger, The Law Offices of Steven R. Donziger.(Keker, John) (Entered: 11/28/2012)
11/29/2012		<b>***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Kathryn Lee Crawford to RE-FILE Document <u>641</u> MOTION to Intervene. ERROR(S): Supporting Documents are filed separately, each receiving their own document #. (db)</b> (Entered: 11/29/2012)
11/29/2012		<b>***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Kathryn Lee Crawford to RE-FILE Document <u>642</u> Declaration in Support of Motion. ERROR(S): Document linked to filing error. (db)</b> (Entered: 11/29/2012)
11/30/2012	<u>644</u>	ORDER: Chevron and Patton Boggs shall file their supplemental briefs regarding Patton Boggs' Motion to Quash Subpoena Duces Tecum [DI 522] no later than December 12, 2012. Any oppositions thereto shall be filed no later than December 21, 2012. The supplemental briefs and any oppositions thereto shall be limited to 25 pages. (Signed by Judge Lewis A. Kaplan on 11/30/2012) (ft) (Entered: 11/30/2012)
11/30/2012	<u>645</u>	MOTION to Intervene. Document filed by Ahuame Huani Baihua, Omayihue Baihua, menemo Huani Baihua, Ahua Baihua Caiga, Daniel Ehuengei, Onenca Enomenga, Pego Enomenga, Wina Enomenga, Compá Guiquita, Bebanca Tega Huani, Cope Tega Huani, Dabota Tega Huani, Kemperi Baihua Huani, Nama Baihua Huani, Omari Apica Huani, Omene Baihua Huani, Wagui Coba Huani, Weica Apica Huani, Yehua Tega Huani, gaware Tega Huani, Wane Ima, Miipo Yatehue Kemperi, Bai Baihua Miipo, Martin Baihua Miipo, Pentibo Baihua Miipo, Nantoqui Nenquimo, Nenquimo Venancio Nihua, Okata Quipa Nihua, Cahuiya Omaca, Abamo Omene, Cai Baihua Quemperi, Conta Nenquimo Quimontari, Ehuenguinto Tega, Mencay Baihua Tega, Teweyene Luciana Nam Tega, Tepaa Quimontari Waiwa, Apará Quemperi Yate, Comita Huani Yate, Minihua Huani Yate, Namo Huani Yate, Tapare Ahua Yete, Mima Yeti.(Crawford, Kathryn) (Entered: 11/30/2012)
11/30/2012	<u>646</u>	MEMORANDUM OF LAW in Support re: <u>645</u> MOTION to Intervene.. Document filed by Ahuame Huani Baihua, Omayihue Baihua, menemo Huani Baihua, Ahua Baihua Caiga, Daniel Ehuengei, Onenca Enomenga, Pego Enomenga, Wina Enomenga, Compá Guiquita, Bebanca Tega Huani, Cope Tega Huani, Dabota Tega Huani, Kemperi Baihua Huani, Nama Baihua Huani, Omari Apica Huani, Omene Baihua Huani, Wagui Coba Huani, Weica Apica Huani, Yehua Tega Huani, gaware Tega Huani, Wane Ima, Miipo Yatehue Kemperi, Bai Baihua Miipo, Martin Baihua Miipo, Pentibo Baihua Miipo, Nantoqui Nenquimo, Nenquimo Venancio Nihua, Okata Quipa Nihua, Cahuiya Omaca, Abamo Omene, Cai Baihua Quemperi, Conta Nenquimo Quimontari, Ehuenguinto Tega, Mencay Baihua Tega, Teweyene Luciana Nam Tega, Tepaa Quimontari Waiwa, Apará Quemperi Yate, Comita Huani Yate, Minihua Huani Yate, Namo Huani Yate, Tapare Ahua Yete, Mima Yeti. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit to Appendix, # <u>3</u> Exhibit to Appendix)(Crawford, Kathryn) (Entered: 11/30/2012)
11/30/2012	<u>647</u>	DECLARATION of Judith Kimerling in Support re: <u>645</u> MOTION to Intervene.. Document filed by Ahuame Huani Baihua, Omayihue Baihua, menemo Huani Baihua, Ahua Baihua Caiga, Daniel Ehuengei, Onenca Enomenga, Pego Enomenga, Wina Enomenga, Compá Guiquita, Bebanca Tega Huani, Cope Tega Huani, Dabota Tega Huani, Kemperi Baihua Huani, Nama Baihua Huani, Omari



		Apica Huani, Omene Baihua Huani, Wagui Coba Huani, Weica Apica Huani, Yehua Tega Huani, gaware Tega Huani, Wane Ima, Miipo Yatehue Kemperi, Bai Baihua Miipo, Martin Baihua Miipo, Pentibo Baihua Miipo, Nantoqui Nenquimo, Nenquimo Venancio Nihua, Okata Quipa Nihua, Cahuiya Omaca, Abamo Omene, Cai Baihua Quemperi, Conta Nenquimo Quimontari, Ehuenguinto Tega, Mencay Baihua Tega, Teweyene Luciana Nam Tega, Tepaa Quimontari Waiwa, Apará Quemperi Yate, Comita Huani Yate, Minihua Huani Yate, Namó Huani Yate, Tapare Ahua Yete, Mima Yeti. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Crawford, Kathryn) (Entered: 11/30/2012)
12/03/2012	<u>648</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Randy A. Mastro dated 11/28/2012 re: Plaintiff's counsel writes to request that the hearing to resolve the parties' outstanding discovery disputes, that this Court yesterday ordered to commence on Wednesday, December 19, commence, instead on Thursday, December 20. ENDORSEMENT: Granted. 12/20 9:30 a.m. ( Status Conference set for 12/20/2012 at 09:30 AM before Judge Lewis A. Kaplan.) (Signed by Judge Lewis A. Kaplan on 12/3/2012) (ago) (Entered: 12/03/2012)
12/04/2012	<u>649</u>	MOTION for Certificate of Appealability <i>Notice of Motion for Certification of the Court's November 27, 2012 Order for Interlocutory Appeal</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(Doyle, Tyler) (Entered: 12/04/2012)
12/04/2012	<u>650</u>	<b>FILING ERROR – DEFICIENT DOCKET ENTRY –</b> MEMORANDUM OF LAW in Support re: <u>649</u> MOTION for Certificate of Appealability <i>Notice of Motion for Certification of the Court's November 27, 2012 Order for Interlocutory Appeal</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) Modified on 12/5/2012 (db). (Entered: 12/04/2012)
12/04/2012	<u>651</u>	MEMORANDUM OF LAW in Support re: <u>649</u> MOTION for Certificate of Appealability <i>Notice of Motion for Certification of the Court's November 27, 2012 Order for Interlocutory Appeal</i> . <b>CORRECTED</b> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 12/04/2012)
12/05/2012	<u>652</u>	STIPULATION REGARDING CRUDE MATERIALS: Chevron at its cost will provide to all Defendants in this action: (a) a copy of the Crude Digitized Outtakes secured on hard drives; (b) a copy of the Berlinger Log; (c) copies of all Crude Clips selected from the Crude Digitized Outtakes; and (d) all Crude Transcriptions and Translations. To the extent any Party seeks to have admitted into evidence at trial in this action any portions of the Crude Digitized Outtakes or Crude Clips, all Parties agree that such evidence: (a) is presumptively authentic in satisfaction of Rule 901 of the Federal Rules of Evidence and does not require any extrinsic evidence of authenticity in order to be admitted; and (b) is admissible to the same extent as the original Crude Raw Outtakes in satisfaction of Rules 1002 and 1003 of the Federal Rules of Evidence. Nothing herein: (a) shall be deemed to effect a waiver of any work product protection or other privilege beyond the production of materials specifically set forth above; or (b) precludes any Party from challenging the ultimate admissibility at trial of any Crude Digitized Outtakes or Crude Clips pursuant to other Federal Rules of Evidence not addressed above. (Signed by Judge Lewis A. Kaplan on 12/5/2012) (ft) Modified on 12/5/2012 (ft). (Entered: 12/05/2012)
12/12/2012	<u>653</u>	ORDER: Faisal Baki moves to quash a subpoena issued by the United States District Court for the Northern District of New York and served upon Microsoft Corporation insofar as the subpoena seeks information relating to Mr. Baki. Motions to quash or modify subpoenas must be made to the courts that issue them, in this case the United States District Court for the Northern District of New York. The motion therefore is denied without prejudice to the filing of such a motion in that court. (Signed by Judge Lewis A. Kaplan on 12/12/2012) (lmb) (Entered: 12/12/2012)
12/12/2012	<u>654</u>	Letter addressed to Judge Lewis A. Kaplan from Faisal Baki dated 9/24/2012 re: Non Party Pro Se Motion to Quash Subpoena for Documents. (lmb) (Entered: 12/12/2012)

12/12/2012	<u>655</u>	STATUS REPORT. <i>Joint Report Concerning The Donziger Defendants' Motion To Compel Chevron To Produce Documents</i> Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger.(Werdegar, Matthew) (Entered: 12/12/2012)
12/12/2012	<u>656</u>	<b>FILING ERROR – DEFICIENT DOCKET ENTRY – (LINKED TO THE WRONG ORDER, SEE DOCUMENT #657) –</b> RESPONSE re: <u>633</u> Order on Motion to Compel, Order on Motion for Protective Order,,,,,,,,,,,,, <i>PLAINTIFF CHEVRON CORPORATION'S SUPPLEMENTAL BRIEF IN RESPONSE TO PATTON BOGGSS OBJECTIONS TO SUBPOENA</i> . Document filed by Chevron Corporation. (Mastro, Randy) Modified on 12/13/2012 (lb). (Entered: 12/12/2012)
12/12/2012	<u>657</u>	RESPONSE re: <u>644</u> Order, <i>PLAINTIFF CHEVRON CORPORATION'S SUPPLEMENTAL BRIEF IN RESPONSE TO PATTON BOGGS'S OBJECTIONS TO SUBPOENA</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 12/12/2012)
12/12/2012	<u>658</u>	DECLARATION of Randy M. Mastro in Support re: <u>657</u> Response. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 3000, # <u>2</u> Exhibit 3001, # <u>3</u> Exhibit 3002, # <u>4</u> Exhibit 3003, # <u>5</u> Exhibit 3004, Part 1, # <u>6</u> Exhibit 3004, Part 2, # <u>7</u> Exhibit 3005, Part 1, # <u>8</u> Exhibit 3005, Part 2, # <u>9</u> Exhibit 3006, # <u>10</u> Exhibit 3007, # <u>11</u> Exhibit 3008, # <u>12</u> Exhibit 3009, Part 1, # <u>13</u> Exhibit 3009, Part 2, # <u>14</u> Exhibit 3010, # <u>15</u> Exhibit 3011, # <u>16</u> Exhibit 3012, # <u>17</u> Exhibit 3013, # <u>18</u> Exhibit 3014, Part 1, # <u>19</u> Exhibit 3014, Part 2, # <u>20</u> Exhibit 3014, Part 3, # <u>21</u> Exhibit 3014, Part 4, # <u>22</u> Exhibit 3015, # <u>23</u> Exhibit 3016, # <u>24</u> Exhibit 3017, # <u>25</u> Exhibit 3018, # <u>26</u> Exhibit 3019, # <u>27</u> Exhibit 3020, # <u>28</u> Exhibit 3021, # <u>29</u> Exhibit 3022, # <u>30</u> Exhibit 3023, # <u>31</u> Exhibit 3024, # <u>32</u> Exhibit 3025, # <u>33</u> Exhibit 3026, # <u>34</u> Exhibit 3027, # <u>35</u> Exhibit 3028, # <u>36</u> Exhibit 3029, # <u>37</u> Exhibit 3030, # <u>38</u> Exhibit 3031, # <u>39</u> Exhibit 3032, # <u>40</u> Exhibit 3033)(Mastro, Randy) (Entered: 12/12/2012)
12/12/2012	<u>659</u>	DECLARATION of Ari Perlstein in Support re: <u>644</u> Order,. Document filed by Patton Boggs LLP. (Leader, James) (Entered: 12/12/2012)
12/12/2012	<u>660</u>	DECLARATION of S. Alyssa Young re: <u>644</u> Order,. Document filed by Patton Boggs LLP. (Attachments: # <u>1</u> Exhibit 1–5, # <u>2</u> Exhibit 6–8, # <u>3</u> Exhibit 9–11, # <u>4</u> Exhibit 12–13, # <u>5</u> Exhibit 14.1, # <u>6</u> Exhibit 14.2, # <u>7</u> Exhibit 15, # <u>8</u> Exhibit 16.1, # <u>9</u> Exhibit 16.2, # <u>10</u> Exhibit 17–19, # <u>11</u> Exhibit 20, # <u>12</u> Exhibit 21, # <u>13</u> Exhibit 22–24, # <u>14</u> Exhibit 25–27, # <u>15</u> Exhibit 28–30, # <u>16</u> Exhibit 31–32, # <u>17</u> Exhibit 33.1, # <u>18</u> Exhibit 33.2, # <u>19</u> Exhibit 34–35, # <u>20</u> Exhibit 36)(Leader, James) (Entered: 12/13/2012)
12/12/2012	<u>661</u>	<b>FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU (SEE DOCUMENT #666) –</b> MOTION to Compel Chevron to Produce Documents. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(Doyle, Tyler) Modified on 12/13/2012 (ldi). (Entered: 12/13/2012)
12/12/2012	<u>663</u>	STATUS REPORT. <i>JOINT REPORT CONCERNING CHEVRON'S MOTION TO COMPEL THE DONZIGER DEFENDANTS AND HUGO GERARDO CAMACHO NARANJO AND JAVIER PIAGUAJE PAYAGUAJE TO PRODUCE DOCUMENTS</i> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Mastro, Randy) (Entered: 12/13/2012)
12/13/2012	<u>662</u>	DECLARATION of Charles E. Talisman in Support re: <u>644</u> Order,. Document filed by Patton Boggs LLP. (Leader, James) (Entered: 12/13/2012)
12/13/2012	<u>664</u>	DECLARATION of Adam Seskis re: <u>644</u> Order,. Document filed by Patton Boggs LLP. (Leader, James) (Entered: 12/13/2012)
12/13/2012	<u>665</u>	MEMORANDUM OF LAW in Support re: <u>644</u> Order, <i>Memorandum of Law in Support of Non–Party Patton Boggs LLP's Renewed Submission Regarding Undue Burden Imposed by Chveron Corporation's Modified Subpoena and for Other Relief</i> . Document filed by Patton Boggs LLP. (Leader, James) (Entered: 12/13/2012)
12/13/2012	<u>666</u>	STATUS REPORT. <i>Joint Report Concerning Resolution of Disputes Regarding Defendants Camacho and Piaguaje's First Set of Requests to Chevron to Produce Documents</i> Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje

		Payaguaje.(Doyle, Tyler) (Entered: 12/13/2012)
12/13/2012	<u>667</u>	MOTION for Protective Order / <i>CHEVRON'S MOTION FOR PROTECTIVE ORDER TO STRIKE DEFENDANTS HUGO GERARDO CAMACHO NARANJO AND JAVIER PIAGUAJE PAYAGUAJE'S SUBPOENAS TO PRODUCE DOCUMENTS, INFORMATION OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, Part 1, # <u>2</u> Exhibit 1, Part 2, # <u>3</u> Exhibit 1, Part 3, # <u>4</u> Exhibit 1, Part 4, # <u>5</u> Exhibit 1, Part 5, # <u>6</u> Exhibit 1, Part 6, # <u>7</u> Exhibit 1, Part 7, # <u>8</u> Exhibit 2, # <u>9</u> Exhibit 3, # <u>10</u> Exhibit 4, # <u>11</u> Exhibit 5, # <u>12</u> Exhibit 6, # <u>13</u> Exhibit 7, # <u>14</u> Exhibit 8)(Mastro, Randy) (Entered: 12/13/2012)
12/17/2012	<u>668</u>	NOTICE OF APPEARANCE by Christopher Michael Joralemon on behalf of Chevron Corporation (Joralemon, Christopher) (Entered: 12/17/2012)
12/17/2012	<u>669</u>	NOTICE OF APPEARANCE by Charles MacNeil Mitchell on behalf of Republic of Ecuador (Mitchell, Charles) (Entered: 12/17/2012)
12/17/2012	<u>670</u>	NOTICE OF INTERLOCUTORY APPEAL from <u>621</u> Order,. Document filed by Republic of Ecuador. Filing fee \$ 455.00, receipt number 0208-8071126. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Mitchell, Charles) (Entered: 12/17/2012)
12/17/2012	<u>671</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan, from James K. Leader, dated 12/13/2012, re: request an extension of time up to and including January 7, 2012, four business days following the New Years' holiday, for Patton Boggs to file its response to Chevron Corporation's Supplemental Brief in Response to Patton Boggs's Objections to Subpoena (Dkts. 656-00 – 658-40). ENDORSEMENT: Time extended until and including Jan. 4, 2013. ( Responses due by 1/4/2013) (Signed by Judge Lewis A. Kaplan on 12/17/2012) (ja) (Entered: 12/17/2012)
12/17/2012	<u>672</u>	RESPONSE in Opposition re: <u>667</u> MOTION for Protective Order / <i>CHEVRON'S MOTION FOR PROTECTIVE ORDER TO STRIKE DEFENDANTS HUGO GERARDO CAMACHO NARANJO AND JAVIER PIAGUAJE PAYAGUAJE'S SUBPOENAS TO PRODUCE DOCUMENTS, INFORMATION OR OBJECTS OR TO PERMIT INSPECTION OF PREMIS</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Doyle, Tyler) (Entered: 12/17/2012)
12/17/2012	<u>673</u>	NOTICE OF INTERLOCUTORY APPEAL from <u>621</u> Order,. Document filed by Patton Boggs LLP. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Leader, James) (Entered: 12/17/2012)
12/17/2012	<u>674</u>	MEMORANDUM OF LAW in Opposition re: <u>645</u> MOTION to Intervene. <i>CHEVRON CORPORATION'S OPPOSITION TO THE HUAORANI INTERVENORS' MOTION TO INTERVENE</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 12/17/2012)
12/17/2012	<u>675</u>	DECLARATION of Jason B. Stavers in Opposition re: <u>645</u> MOTION to Intervene.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 3034, # <u>2</u> Exhibit 3035, # <u>3</u> Exhibit 3036, # <u>4</u> Exhibit 3037, # <u>5</u> Exhibit 3038, # <u>6</u> Exhibit 3039, # <u>7</u> Exhibit 3040, # <u>8</u> Exhibit 3041, # <u>9</u> Exhibit 3042, # <u>10</u> Exhibit 3043, # <u>11</u> Exhibit 3044, # <u>12</u> Exhibit 3045)(Mastro, Randy) (Entered: 12/17/2012)
12/17/2012	<u>676</u>	JOINT MOTION for Protective Order. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Mastro, Randy) (Entered: 12/17/2012)
12/17/2012		Appeal Fee Due: for <u>673</u> Notice of Interlocutory Appeal. \$455.00 Appeal fee due by 1/2/2013. (nd) (Entered: 12/18/2012)
12/18/2012		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>673</u> Notice of Interlocutory Appeal. (nd) (Entered: 12/18/2012)
12/18/2012		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>438</u> MOTION to Strike CHEVRON CORPORATION'S MARCH 16, 2012 LETTER BRIEF filed by Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger, Steven Donziger, <u>24</u>

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12/18/2012		Appeal Fee Paid electronically via Pay.gov: for <u>673</u> Notice of Interlocutory Appeal. Filing fee \$ 455.00. Pay.gov receipt number 0208-8071541, paid on 12/17/2012. (nd) (Entered: 12/18/2012)
12/19/2012	<u>677</u>	JOINT MOTION for Order to Show Cause <i>Why Further Supplemental Briefing on Crime Fraud Exception Should Not be Stayed</i> . Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger.(Doyle, Tyler) (Entered: 12/19/2012)
12/19/2012	<u>678</u>	<b>FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU –</b> JOINT MOTION for Order to Show Cause <i>Declaration of Craig Smyser and Proposed Show Cause Order Why Further Supplemental Briefing on Crime Fraud Exception as to Patton Boggs Should Not be Stayed</i> . Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Text of Proposed Order Proposed Show Cause Order)(Doyle, Tyler) Modified on 12/20/2012 (db). (Entered: 12/19/2012)
12/19/2012	<u>679</u>	MEMORANDUM OPINION: #102710 Plaintiffs motion for a protective order is granted to the extent indicated herein. The LAP Representatives shall not seek to enforce the subpoenas listed in Dkt. 667 Ex. 1 nor obtain any documents or other things pursuant to them. This ruling is without prejudice to an application by the LAP Representatives, following the determination of plaintiffs objections to the outstanding requests for production of documents, for leave to seek to enforce any portions of the subpoenas directed to Beard, Kroll and Stroz enforcement of which is not foreclosed by this Courts rulings on those objections. (Signed by Judge Lewis A. Kaplan on 12/19/2012) (ft) Modified on 12/21/2012 (jab). (Entered: 12/19/2012)
12/19/2012	<u>680</u>	ORDER: The hearing tomorrow will commence at 11 a.m. rather than at 9:30 a.m. Status Conference set for 12/20/2012 at 11:00 AM before Judge Lewis A. Kaplan. (Signed by Judge Lewis A. Kaplan on 12/19/2012) (ft) (Entered: 12/19/2012)
12/19/2012	<u>681</u>	ORDER denying <u>677</u> Motion for Order to Show Cause. There is no reason whatever why further briefing of the crime-fraud issues should not proceed as scheduled. Certainly there would be no irreparable harm to anyone if that occurred. If the LAP Representatives and the Danziger Defendants wish to participate, they may do so on the same schedule. Their interests are exceptionally closely intertwined with those of PB, which represents and has represented the LAP Representatives and the LAPs generally in virtually all of the US litigation relating to this overall controversy save that PB has sought to avoid entering a formal appearance in the district court in this particular case. The Court, however, hereby extends the date for the filing of responses to the December 12 and 13 submissions to and including January 7, thus giving PB every single moment that it asked for in order to respond to Chevron's submission. The application for an order to show cause (Dkt. 677) and for the relief sought by the motion that it would have brought on, had it been signed, both are denied. (Signed by Judge Lewis A. Kaplan on 12/19/2012) (ft) (Entered: 12/19/2012)
12/19/2012	<u>682</u>	STIPULATION: On November 30, 2012 a motion to intervene in this matter was filed. All Defendants in the case and the putative intervenors stipulate that any responses to the motion to intervene shall be filed no later than Friday, December

		21, 2012 and that the putative intervenors' reply to those responses and to any response by Plaintiff shall be due no later than Monday, January 7, 2013. All parties to this Stipulation agree that this extension will not be used as grounds for opposing the intervention. Counsel for Plaintiff Chevron Corporation, Christopher Joralemon, has informed Larry R. Veselka, Counsel for Defendants Camacho/Piaguaje, that Chevron has no opposition to the extension of dates in this Stipulation. (Signed by Judge Lewis A. Kaplan on 12/19/2012) (ft) (Entered: 12/19/2012)
12/19/2012	<u>683</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 12/18/2012 re: I write as counsel for Plaintiff Chevron Corporation in response to the Order is sued December 13, 2012, by Judge Sharpe of the Northern District of New York. ENDORSEMENT: Opposing papers shall be filed on or before Jan. 15, 2013. (Signed by Judge Lewis A. Kaplan on 12/19/2012) (ft) (Entered: 12/19/2012)
12/20/2012		<b>***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Tyler Geoffrey Doyle to RE-FILE Document <u>678</u> JOINT MOTION for Order to Show Cause Declaration of Craig Smyser and Proposed Show Cause Order Why Further Supplemental Briefing on Crime Fraud Exception as to Patton Boggs Should Not be Stayed. Use the event type Declaration in Support of Motion found under the event list Replies, Opposition and Supporting Documents, then link to <u>677</u> Motion. (db) (Entered: 12/20/2012)</b>
12/20/2012	<u>684</u>	DECLARATION of Craig Smyser in Support re: <u>677</u> JOINT MOTION for Order to Show Cause <i>Why Further Supplemental Briefing on Crime Fraud Exception Should Not be Stayed..</i> Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Text of Proposed Order to Show Cause)(Doyle, Tyler) (Entered: 12/20/2012)
12/20/2012	<u>685</u>	STIPULATION AND ORDER: IT IS HEREBY STIPULATED that Chevron withdraws its subpoena to Burford Group Limited; and IT IS FURTHER STIPULATED that Burford Group LLC and Glenavy Capital LLC (collectively, "Burford") will not, now or at a later date, contest service or jurisdiction with respect to the subpoenas; and IT IS FURTHER STIPULATED that the return date to file written responses and objections, if any, and begin rolling production in response to the subpoenas to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action issued to Glenavy Capital LLC and Burford Group LLC on November 13, 2012, is extended to December 21, 2012; and IT IS FURTHER STIPULATED that Chevron withdraws Requests 1 and 7 from its subpoenas to Burford Group LLC and Glenavy Capital LLC; and IT IS FURTHER STIPULATED that, until a final Protective Order has been entered by the Court, Chevron and Burford will be bound by the language of the Draft Protective Order, attached hereto. SO STIPULATED. IT IS SO ORDERED. ( Responses due by 12/21/2012) (Signed by Judge Lewis A. Kaplan on 12/20/2012) (ama) (Entered: 12/20/2012)
12/20/2012	<u>686</u>	Letter addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 12/19/2012 re: I write as counsel for Plaintiff Chevron Corporation ("Chevron") regarding the Joint Application of Defendants Donziger and the LAPs by Order to Show Cause (Dkt. 677), filed this morning. Defendants urge the Court not to apply the crime–fraud exception in connection with Chevron's subpoena to Patton Boggs, and instead, to "defer resolution of that [crime–fraud] issue to the main case where the real parties in interest have the chance to brief and argue the issue.". (ama) (Entered: 12/20/2012)
12/21/2012	<u>687</u>	<b>FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU (SEE DOCUMENT #689) –</b> REPLY MEMORANDUM OF LAW in Opposition re: <u>645</u> MOTION to Intervene.. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit A to Opposition to Motion to Intervene)(Doyle, Tyler) Modified on 12/26/2012 (Idi). (Entered: 12/21/2012)

12/21/2012	<u>688</u>	DECLARATION of Tyler G. Doyle in Opposition re: <u>645</u> MOTION to Intervene.. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 12/21/2012)
12/21/2012	<u>689</u>	MEMORANDUM OF LAW in Opposition re: <u>645</u> MOTION to Intervene. <i>Refiling to correct category of docket no. 687.</i> Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit A to Opposition to Motion to Intervene)(Doyle, Tyler) (Entered: 12/21/2012)
12/21/2012	<u>690</u>	JOINDER to join re: <u>689</u> Memorandum of Law in Opposition to Motion,. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger.(Little, Jan) (Entered: 12/21/2012)
12/21/2012	<u>691</u>	MEMORANDUM OF LAW in Opposition re: <u>649</u> MOTION for Certificate of Appealability <i>Notice of Motion for Certification of the Court's November 27, 2012 Order for Interlocutory Appeal. PLAINTIFF CHEVRON'S OPPOSITION TO DEFENDANTS HUGO GERARDO CAMACHO NARANJO AND JAVIER PIAGUAJE PAYAGUAJE'S MOTION FOR CERTIFICATION OF THE COURT'S NOVEMBER 27, 2012 ORDER FOR INTERLOCUTORY APPEAL.</i> Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 12/21/2012)
12/21/2012	<u>692</u>	STATUS REPORT. <i>ADDENDUM TO THE JOINT REPORT CONCERNING CHEVRON'S MOTION TO COMPEL THE DONZIGER DEFENDANTS AND HUGO GERARDO CAMACHO NARANJO AND JAVIER PIAGUAJE PA YAGUAJE TO PRODUCE DOCUMENTS, FILED DECEMBER 12,2012 (DKT. 663)</i> Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 12/21/2012)
12/21/2012	<u>693</u>	MOTION to Amend/Correct <u>499</u> Amended Answer to Complaints <i>to add counterclaims.</i> Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc..(Krause, Stuart) (Entered: 12/21/2012)
12/21/2012	<u>694</u>	DECLARATION of Stuart A. Krause in Support re: <u>693</u> MOTION to Amend/Correct <u>499</u> Amended Answer to Complaints <i>to add counterclaims.</i> Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Attachments: # <u>1</u> Exh. 1 (Part 1), # <u>2</u> Exh. 1 (Part 2), # <u>3</u> Exh. A to Exh. 1, # <u>4</u> Exh. B to Exh. 1, # <u>5</u> Exh. C to Exh. 1, # <u>6</u> Exh. D to Exh. 1, # <u>7</u> Exh. E to Exh. 1, # <u>8</u> Exh. F to Exh. 1, # <u>9</u> Exh. G to Exh. 1, # <u>10</u> Exh. H to Exh. 1, # <u>11</u> Exh. 2)(Krause, Stuart) (Entered: 12/21/2012)
12/21/2012	<u>695</u>	MEMORANDUM OF LAW in Support re: <u>693</u> MOTION to Amend/Correct <u>499</u> Amended Answer to Complaints <i>to add counterclaims.</i> Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Krause, Stuart) (Entered: 12/21/2012)
12/24/2012	<u>696</u>	MOTION to Dismiss. Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 12/24/2012)
12/24/2012	<u>697</u>	MEMORANDUM OF LAW in Support re: <u>696</u> MOTION to Dismiss.. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 12/24/2012)
01/02/2013	<u>698</u>	MOTION for Protective Order <i>to Strike Plaintiff Chevron Corporation's Subpoenas to Produce Documents, Information, or Objects and for Clarification on the Status of Three Specific Subpoenas Issued by Defendants.</i> Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit Exhibit A, Part 1, # <u>2</u> Exhibit Exhibit A, Part 2, # <u>3</u> Exhibit Exhibit A, Part 3, # <u>4</u> Exhibit Exhibit B, # <u>5</u> Exhibit Exhibit C)(Doyle, Tyler) (Entered: 01/02/2013)
01/02/2013	<u>699</u>	MOTION for Leave to File Excess Pages. Document filed by Ahuame Huani Baihua, Omayihue Baihua, menemo Huani Baihua, Ahua Baihua Caiga, Daniel Ehuengei, Onenca Enomenga, Pego Enomenga, Wina Enomenga, Compa Guiquita, Bebanca Tega Huani, Cope Tega Huani, Dabota Tega Huani, Kemperi Baihua Huani, Nama Baihua Huani, Omari Apica Huani, Omene Baihua Huani, Wagui Coba Huani, Weica Apica Huani, Yehua Tega Huani, gaware Tega Huani, Wane Ima, Miipo Yatehue Kemperi, Bai Baihua Miipo, Martin Baihua Miipo, Pentibo Baihua Miipo, Nantoqui Nenquimo, Nenquimo Venancio Nihua, Okata Quipa Nihua, Cahuiya Omaca, Abamo Omene, Cai Baihua Quemperi, Conta Nenquimo Quimontari, Ehuenguinto Tega, Mencay Baihua Tega, Teweyene Luciana Nam

		Tega, Tepaa Quimontari Waiwa, Apará Quemperi Yate, Comita Huani Yate, Minihua Huani Yate, Namo Huani Yate, Tapare Ahua Yete, Mima Yeti.(Crawford, Kathryn) (Entered: 01/02/2013)
01/02/2013	<u>700</u>	REPLY to Response to Motion re: <u>649</u> MOTION for Certificate of Appealability <i>Notice of Motion for Certification of the Court's November 27, 2012 Order for Interlocutory Appeal..</i> Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaaje Payaguaaje. (Doyle, Tyler) (Entered: 01/02/2013)
01/02/2013	701	ORDER granting <u>699</u> Motion for Leave to File Excess Pages. (Signed by Judge Lewis A. Kaplan on 1/2/2013) (Kaplan, Lewis) (Entered: 01/02/2013)
01/03/2013	<u>702</u>	ORDER: In order to eliminate an unintended ambiguity, the second sentence of Section IV of the Memorandum Opinion dated December 19,2012 is hereby amended to read:The LAP Representatives shall not seek to enforce the subpoenas listed in Dkt. 667 Ex. 1 nor obtain any documents or other things pursuant to them, provided,however, that this sentence does not apply to those served on the Chamber of Commerce of the United States, Trevor Andrew Melby, and Ogilvy &Mather. (Signed by Judge Lewis A. Kaplan on 1/3/2013) (ago) (Entered: 01/03/2013)
01/03/2013	<u>703</u>	SECOND DISCOVERY STIPULATION: The Parties hereby stipulate to the following additional or modified agreements concerning discovery in the above-referenced matter. The Parties agree to move jointly for approval of this stipulation to the extent certain of the terms herein require the Court's approval. And as set forth herein. SO ORDERED. ( Motions due by 2/6/2013.) (Signed by Judge Lewis A. Kaplan on 1/02/2013) (ama) (Entered: 01/03/2013)
01/03/2013	<u>704</u>	<b>FILING ERROR – DEFICIENT DOCKET ENTRY – STATUS REPORT.</b> <i>Joint Report by Plaintiff Chevron Corporation, Donziger Defendants, and Hugo Gerardo Camacho Naranjo and Javier Piaguaaje Payaguaaje Regarding Scope Of Discovery in Relation To Sham Litigation Allegations</i> Document filed by Chevron Corporation.(Mastro, Randy) Modified on 1/4/2013 (db). (Entered: 01/03/2013)
01/04/2013	<u>705</u>	STATUS REPORT. <i>Joint Report by Plaintiff Chevron Corporation, Donziger Defendants, and Hugo Gerardo Camacho Naranjo and Javier Piaguaaje Payaguaaje Regarding Scope Of Discovery in Relation To Sham Litigation Allegations.</i> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1)(Mastro, Randy) (Entered: 01/04/2013)
01/04/2013	<u>706</u>	MEMORANDUM OF LAW in Opposition re: <u>698</u> MOTION for Protective Order <i>to Strike Plaintiff Chevron Corporation's Subpoenas to Produce Documents, Information, or Objects and for Clarification on the Status of Three Specific Subpoenas Issued by Defendants..</i> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A)(Mastro, Randy) (Entered: 01/04/2013)
01/07/2013	<u>707</u>	MEMORANDUM OPINION: #102769 The questions with respect to which the LAP Representatives seek leave to appeal under Section 1292(b) are not controlling questions of law. At least one of them is not a question with respect to which there is substantial ground for difference of opinion. The Court finds no reasonable likelihood that interlocutory review of either of them would materially advance the termination of this litigation. Moreover, in the absence of a complete factual record and findings of fact, any interlocutory appeal would run a substantial risk of being an advisory opinion divorced from the facts that ultimately may be proved. Accordingly, the motion [DI 649] is denied both on the law and in the exercise of discretion. (Signed by Judge Lewis A. Kaplan on 1/7/13) (pl) (pl). Modified on 1/9/2013 (jab). (Entered: 01/07/2013)
01/07/2013	<u>708</u>	ORDER denying <u>698</u> Motion for Protective Order. In the circumstances, the Court has concluded that the appropriate course is to deny the present motion but to maintain the status quo with respect to those of the subpoenas other than those discussed in paragraphs 1 and 2 and to permit movants to attempt to make a showing sufficient to warrant the relief they seek. Accordingly, the motion [DI 698] is denied without prejudice to the filing, on or before January 17, 2013, of a renewed motion with respect to the subpoenas listed in Dkt. 698, Ex. A, excluding numbers 13a, 13b, and 20 ("Subpoenas 1–26 "). Plaintiff shall not seek to enforce the Subpoenas 1–26 nor obtain any documents or other things pursuant to them



		before January 17, 2013, and, if movants file a renewed motion by that date, pending further order of the Court. (Signed by Judge Lewis A. Kaplan on 1/7/2013) (pl) (Entered: 01/07/2013)
01/07/2013	<u>709</u>	REPLY MEMORANDUM OF LAW in Support re: <u>645</u> MOTION to Intervene.. Document filed by Ahuame Huani Baihua, Omayihue Baihua, menemo Huani Baihua, Ahua Baihua Caiga, Daniel Ehuengei, Onenca Enomenga, Pego Enomenga, Wina Enomenga, Compa Guiquita, Bebanca Tega Huani, Cope Tega Huani, Dabota Tega Huani, Kemperi Baihua Huani, Nama Baihua Huani, Omari Apica Huani, Omene Baihua Huani, Wagui Coba Huani, Weica Apica Huani, Yehua Tega Huani, gaware Tega Huani, Wane Ima, Miipo Yatehue Kemperi, Bai Baihua Miipo, Martin Baihua Miipo, Pentibo Baihua Miipo, Nantoqui Nenquimo, Nenquimo Venancio Nihua, Okata Quipa Nihua, Cahuiya Omaca, Abamo Omene, Cai Baihua Quemperi, Conta Nenquimo Quimontari, Ehuenguinto Tega, Mencay Baihua Tega, Teweyene Luciana Nam Tega, Tepaa Quimontari Waiwa, Comita Huani Yate, Minihua Huani Yate, Namu Huani Yate, Tapare Ahua Yete, Mima Yeti. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit 1 to Appendix, # <u>3</u> Exhibit 2 to Appendix, # <u>4</u> Exhibit 3 to Appendix)(Crawford, Kathryn) (Entered: 01/07/2013)
01/07/2013	<u>710</u>	DECLARATION of Judith Kimerling in Support re: <u>645</u> MOTION to Intervene.. Document filed by Ahuame Huani Baihua, Omayihue Baihua, menemo Huani Baihua, Ahua Baihua Caiga, Daniel Ehuengei, Onenca Enomenga, Pego Enomenga, Wina Enomenga, Compa Guiquita, Bebanca Tega Huani, Cope Tega Huani, Dabota Tega Huani, Kemperi Baihua Huani, Nama Baihua Huani, Omari Apica Huani, Omene Baihua Huani, Wagui Coba Huani, Weica Apica Huani, Yehua Tega Huani, gaware Tega Huani, Wane Ima, Miipo Yatehue Kemperi, Bai Baihua Miipo, Martin Baihua Miipo, Pentibo Baihua Miipo, Nantoqui Nenquimo, Nenquimo Venancio Nihua, Okata Quipa Nihua, Cahuiya Omaca, Abamo Omene, Cai Baihua Quemperi, Conta Nenquimo Quimontari, Ehuenguinto Tega, Mencay Baihua Tega, Teweyene Luciana Nam Tega, Tepaa Quimontari Waiwa, Apra Quemperi Yate, Comita Huani Yate, Minihua Huani Yate, Namu Huani Yate, Tapare Ahua Yete, Mima Yeti. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Crawford, Kathryn) (Entered: 01/07/2013)
01/07/2013	<u>711</u>	MEMORANDUM OF LAW in Opposition re: <u>693</u> MOTION to Amend/Correct <u>499</u> Amended Answer to Complaints <i>to add counterclaims. CHEVRON CORPORATION'S OPPOSITION TO STRATUS CONSULTING, INC.'S MOTION TO AMEND ITS ANSWER TO ASSERT COUNTERCLAIMS</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 01/07/2013)
01/07/2013	<u>712</u>	MEMORANDUM OF LAW in Opposition re: <u>657</u> Response <i>Memorandum of Law in Opposition to Chevron Corporation's Supplemental Brief in Response to Patton Boggs' Objections to Subpoena (Dkt. 657)</i> . Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 01/07/2013)
01/07/2013	<u>713</u>	MEMORANDUM OF LAW in Opposition re: <u>665</u> Memorandum of Law in Support, <i>PLAINTIFF CHEVRON CORPORATION'S OPPOSITION TO PATTON BOGGS LLP'S SUPPLEMENTAL SUBMISSION CLAIMING UNDUE BURDEN FROM COMPLIANCE WITH MODIFIED SUBPOENA</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 01/07/2013)
01/07/2013	<u>714</u>	DECLARATION of Lauren J. Elliot in Opposition re: <u>665</u> Memorandum of Law in Support,. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16)(Mastro, Randy) (Entered: 01/07/2013)
01/07/2013	<u>715</u>	DECLARATION of S. Alyssa Young in Opposition re: <u>657</u> Response. Document filed by Patton Boggs LLP. (Attachments: # <u>1</u> Exhibit 1–9, # <u>2</u> Exhibit 10–15, # <u>3</u> Exhibit 16, # <u>4</u> Exhibit 17–18, # <u>5</u> Exhibit 19 part 1–3, # <u>6</u> Exhibit 19 part 4–6, # <u>7</u> Exhibit 20–25, # <u>8</u> Exhibit 26)(Young, S. Alyssa) (Entered: 01/07/2013)
01/07/2013	<u>716</u>	AFFIDAVIT of Thomas I. Barnett in Opposition re: <u>665</u> Memorandum of Law in Support,. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 01/07/2013)

01/07/2013	<u>717</u>	DECLARATION of Richard Osman in Opposition re: <u>665</u> Memorandum of Law in Support,. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 01/07/2013)
01/07/2013	<u>718</u>	MEMORANDUM OF LAW in Opposition re: <u>657</u> Response To Plaintiff Chevron Corporation's Supplemental Brief. Document filed by Patton Boggs LLP. (Young, S. Alyssa) (Entered: 01/07/2013)
01/08/2013	<u>719</u>	STIPULATION AND ORDER: IT IS HEREBY STIPULATED AND AGREED by and between the parties herein, that the time for Chevron to respond to the Stratus Defendants' Motion to Amend their Answer to Add Counterclaims [Dkt. 693] is extended to and includes January 28, 2013. SO ORDERED. ( Responses due by 1/28/2013) (Signed by Judge Lewis A. Kaplan on 1/08/2013) (ama) (Entered: 01/08/2013)
01/08/2013	<u>720</u>	ORDER: The amended complaint at various points refers to the Lago Agrio litigation or related matters as "sham" litigation. During argument of Chevron's objections to various document production requests, the LAP Representatives and/or the Donziger Defendants sought to justify certain requests as pertinent to their attempt to meet Chevron's contention. Chevron responded that it would clarify what it meant to convey by the "sham" allegations, clearly stating that it did not intend "to retry the Lago Agrio case" here. Under Fed. R. Civ. P. 16(c)(2) and (d), the Court has ample authority to formulate and simplify the issues, avoid unnecessary proof, and otherwise to facilitate the just, speedy and inexpensive disposition of the action. In light of Chevron's representation, the references in the amended complaint to the Lago Agrio litigation being a "sham" shall be construed as asserting that it was a sham in the sense or senses described above and shall not be construed as making any assertions with respect to the environmental conditions existing in the Oriente in the 1960s to the 1990s or the relative, substantive merit of scientists' expert opinions on that subject. SO ORDERED (Signed by Judge Lewis A. Kaplan on 1/08/2013) (ama) (Entered: 01/08/2013)
01/09/2013	<u>721</u>	ORDER:Consistent with its frequent practice, the Court dealt with the parties objections to requests for production of documents (RFPs) by plaintiff, the defendant LAP Representatives and the Donziger Defendants (collectively for purposes of this order, Defendants) during conferences held on December 20–21, 2012 and subsequently, largely without the need for written motions to compel production. This order formalizes the agreements among the parties and the Courts rulings as follows leaving for resolution only the outstanding dispute concerning whether and to what extent Defendants will be directed to produce documents from Ecuador as sought by Chevron in Dkt. 562 (the Ecuadorian Documents), which will be resolved shortly: 1. With respect to the LAP Representatives RFPs to Chevron (Dkt. 667, Ex. 6): (a) The parties have reached agreement with respect to the RFPs listed on Schedule 1. The Court adopts their agreement and directs Chevron to comply. (b) Schedule 2 sets out the Courts rulings with respect to certain other RFPs. To the extent that the RFPs there listed remain outstanding, whether in their original or in modified form, Chevron shall comply. 2. With respect to the Donziger Defendants RFPs to Chevron (Dkt. 667, Ex. 7): (a) The parties have reached agreement with respect to the RFPs listed on Schedule 3, which refers to Exhibits 1 through 9 from an earlier filing. The Court adopts their agreement and directs Chevron to comply. (b) Schedule 4, which refers to Exhibits 2, 3, 8, and 9 from the same earlier filing, sets out the Courts ruling with respect to certain other RFPs. To the extent that the RFPs there listed remain outstanding, whether in their original or in modified form, Chevron shall comply. 3. With respect to Chevrons RFPs to the Defendants: (a) The parties have reached agreement with respect to the RFPs listed on Schedule 5. The Court adopts their agreement and directs Defendants to comply. (b) Schedule 6 sets out the Courts rulings with respect to certain other RFPs. To the extent that the RFPs there listed remain outstanding, whether in their original or in modified form, Defendants shall comply. 4. For purposes of the second paragraph of the parties Second Discovery Stipulation, approved by the Court (Dkt. 703), this order resolves all disputes concerning all RFPs propounded by Chevron to any of the Defendants and by any of the Defendants to Chevron, thus triggering the agreed schedule for production, with the sole exception of the Ecuadorian Documents. (Signed by Judge Lewis A. Kaplan on 1/9/2013) (mro) (Entered: 01/09/2013)

01/10/2013	<u>722</u>	MEMORANDUM OF LAW in Opposition re: <u>696</u> MOTION to Dismiss.. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Werdegar, Matthew) (Entered: 01/10/2013)
01/11/2013	<u>723</u>	PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material... (Signed by Judge Lewis A. Kaplan on 1/11/2013) (lmb) (Entered: 01/11/2013)
01/14/2013	<u>724</u>	MEMORANDUM AND ORDER denying <u>645</u> Motion to Intervene. The motion by the proposed intervenors (Dkt. 645) to intervene is denied. (Signed by Judge Lewis A. Kaplan on 1/14/2013) (lmb) (Entered: 01/14/2013)
01/14/2013	<u>725</u>	ORDER. The scheduling order (Dkt. 494) requires submission, among other things, of requested jury instructions on or before June 30, 2013. As counsel may be aware, the Court's practice in civil cases is to take special verdicts. Any proposed jury instructions shall be accompanied by a proposed verdict form. Counsel shall confer regarding their respective views as to the verdict form in advance of June 30 and, to the extent possible, shall submit an agreed proposed verdict form together with a joint status report summarizing any unresolved differences and concisely stating their respective positions with respect thereto. (Signed by Judge Lewis A. Kaplan on 1/14/2013) (rjm) (Entered: 01/15/2013)
01/15/2013	<u>726</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 1/8/2013 re: I write as counsel for Plaintiff Chevron Corporation ("Chevron") seeking clarification of this Court's order of yesterday denying the LAP Representatives' motion for a protective order (Dkt. 708). ENDORSEMENT: The order is entirely clear. It forecloses Chevron from seeking to enforce the subpoenas or from obtaining any documents or things pursuant to them from the date of the order until January 17 and, if a renewed motion is filed by that date, pending further order of the Court. Nothing in the order prevents (a) subpoenaed persons from voluntarily – i.e., without compulsion of a subpoena – from producing documents to Chevron, to defendants, or to anyone else, or (b) Chevron or anyone else from receiving or using any voluntarily produced documents. Nor, given the fact that the order is a temporary measure designed to maintain the status quo pending a possible renewed motion, does it require that any documents produced (a) pursuant to the subpoenas before the order was entered, or (b) voluntarily after it was entered be returned or destroyed. (Signed by Judge Lewis A. Kaplan on 1/15/2013) (rjm) (Entered: 01/15/2013)
01/17/2013	<u>727</u>	REPLY MEMORANDUM OF LAW in Support re: <u>693</u> MOTION to Amend/Correct <u>499</u> Amended Answer to Complaints <i>to add counterclaims</i> .. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Krause, Stuart) (Entered: 01/17/2013)
01/17/2013	<u>728</u>	SECOND MOTION for Protective Order <i>to Strike Chevron Subpoenas to Produce Documents</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Doyle, Tyler) (Entered: 01/17/2013)
01/18/2013	<u>729</u>	NOTICE OF INTERLOCUTORY APPEAL from <u>702</u> Order,, <u>679</u> Memorandum & Opinion,,. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. Filing fee \$ 455.00, receipt number 0208–8157568. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Doyle, Tyler) (Entered: 01/18/2013)
01/18/2013		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>729</u> Notice of Interlocutory Appeal. (tp) (Entered: 01/18/2013)
01/18/2013		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>438</u> MOTION to Strike CHEVRON CORPORATION'S MARCH 16, 2012 LETTER BRIEF filed by Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger, Steven Donziger, <u>24</u> Declaration in Support, filed by Chevron Corporation, <u>141</u> Declaration in Support, filed by The Law Offices of Steven R. Donziger, Steven Donziger, <u>239</u> Rule 26(f) Discovery Plan Report filed by Ann Maest, Douglas Beltman, Stratus Consulting, Inc., Stratus Consulting, Inc., <u>388</u> Order on Motion to Withdraw as Attorney, <u>139</u> Declaration in Support, filed by The Law Offices of Steven R. Donziger, Steven

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Quemperi, Namo Huani Yate, Wane Ima, Bebanca Tega Huani, Pentibo Baihua Miipo, Tepaa Quimontari Waiwa, Omayihue Baihua, Mima Yeti, Cahuiya Omaca, Conta Nenquimo Quimontari, Omari Apica Huani, Nenquimo Venancio Nihua, Yehua Tega Huani, Comita Huani Yate, Compa Guiquita, Weica Apica Huani, Bai Baihua Miipo, Dabota Tega Huani, Tapare Ahua Yete, 635 Memo Endorsement,,,,, 504 MOTION for Jason B. Stavers to Appear Pro Hac Vice. filed by Chevron Corporation, 503 Notice of Appearance filed by Chevron Corporation, 483 MOTION for Summary Judgment. filed by Chevron Corporation, 472 Order on Motion to Dismiss,, 518 Memorandum of Law in Support of Motion filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje, 595 Transcript,, 594 Order, 631 Declaration in Support of Motion,, filed by Chevron Corporation, 554 MOTION for Justina K. Sessions to Appear Pro Hac Vice Corrected. Motion and supporting papers to be reviewed by Clerk's Office staff. filed by Donziger & Associates, PLLC, Steven Donziger, The Law Offices of Steven R. Donziger, 648 Endorsed Letter, Set Hearings,,,,, 604 Transcript,, 506 Declaration in Support of Motion filed by Chevron Corporation, 636 Order, 617 Response in Opposition to Motion, filed by Donziger & Associates, PLLC, Steven Donziger, The Law Offices of Steven R. Donziger, 548 Affidavit in Opposition to Motion filed by Chevron Corporation, 502 Memorandum of Law in Opposition to Motion filed by Ann Maest, Stratus Consulting, Inc., Douglas Beltman, 657 Response filed by Chevron Corporation, 608 MOTION to Compel DEFENDANTS STEVEN DONZIGER, THE LAW OFFICES OF STEVEN R. DONZIGER, DONZIGER & ASSOCIATES, PLLC, JAVIER PIAGUAJE PAYAGUAJE, AND HUGO GERARDO CAMACHO NARANJO to PRODUCE DOCUMENTS. filed by Chevron Corporation, 602 Transcript,, 538 Endorsed Letter,, 660 Declaration,, filed by Patton Boggs LLP, 537 Endorsed Letter, Set Deadlines,,,,, 577 Stipulation and Order,, 485 Declaration in Support of Motion filed by Chevron Corporation, 665 Memorandum of Law in Support, filed by Patton Boggs LLP, 553 MOTION for Leave to File Second Amended Answer to Amended Complaint Separate Defenses, and Jury Trial Demand. filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje, 667 MOTION for Protective Order / CHEVRON'S MOTION FOR PROTECTIVE ORDER TO STRIKE DEFENDANTS HUGO GERARDO CAMACHO NARANJO AND JAVIER PIAGUAJE PAYAGUAJE'S SUBPOENAS TO PRODUCE DOCUMENTS, INFORMATION OR OBJECTS OR TO PERMIT INSPECTION OF PREMIS filed by Chevron Corporation, 473 Notice (Other) filed by Chevron Corporation, 519 Affidavit in Support of Motion filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje, 488 MOTION for James J. Rohn to Appear Pro Hac Vice. filed by Joseph C. Kohn, Kohn Swift & Graf, P.C., 591 MOTION to Quash. filed by John Rodgers, 507 Order on Motion to Appear Pro Hac Vice, 652 Stipulation and Order,,,,, 587 Order, Set Deadlines/Hearings,, 593 Notice of Appearance filed by Ann Maest, Stratus Consulting, Inc., Douglas Beltman, 664 Declaration filed by Patton Boggs LLP, 582 Order, Set Deadlines/Hearings,, 494 Order, Set Deadlines/Hearings,,,,, 564 Response in Opposition to Motion, filed by Donziger & Associates, PLLC, Steven Donziger, The Law Offices of Steven R. Donziger, 619 MOTION for Protective Order Striking the LAPs Request for Production (CORRECTED). MOTION for Protective Order Striking the LAPs Request for Production (CORRECTED). filed by Chevron Corporation, 622 Reply Memorandum of Law in Support of Motion, filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje, 638 Order on Motion for Leave to File Document,, 673 Notice of Interlocutory Appeal filed by Patton Boggs LLP, 672 Response in Opposition to Motion, filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje, 584 Memorandum of Law in Support of Motion, filed by Chevron Corporation, 561 Declaration in Opposition to Motion,, filed by Chevron Corporation, 508 SECOND MOTION for Discovery for Miscellaneous Relief in Connection with Responding to Non-Party Subpoena Propounded by Chevron Corporation. filed by Patton Boggs LLP, 645 MOTION to Intervene. filed by Wina Enomenga, Pego Enomenga, Mencay Baihua Tega, Nantoqui Nenquimo, Cope Tega Huani, Ehuenguinto Tega, Okata Quipa Nihua, gaware Tega Huani, Nama Baihua Huani, Onenca Enomenga, Apra Quemperi Yate, menemo Huani Baihua, Omene Baihua Huani, Miipo Yatehue Kemperi, Martin Baihua Miipo, Minihua Huani Yate, Daniel Ehuengei, Kemperi Baihua Huani, Abamo Omene, Teweyene Luciana Nam Tega, Wagui Coba Huani, Ahuame Huani Baihua, Ahua Baihua Caiga, Cai Baihua Quemperi, Namo Huani Yate, Wane Ima, Bebanca Tega Huani, Pentibo Baihua Miipo, Tepaa Quimontari



Waiwa, Omayihue Baihua, Mima Yeti, Cahuiya Omaca, Conta Nenquimo Quimontari, Omari Apica Huani, Nenquimo Venancio Nihua, Yehua Tega Huani, Comita Huani Yate, Compa Guiquita, Weica Apica Huani, Bai Baihua Miipo, Dabota Tega Huani, Tapare Ahua Yete, 535 Endorsed Letter,, 669 Notice of Appearance filed by Republic of Ecuador, 585 Rule 56.1 Statement filed by Chevron Corporation, 541 Memorandum of Law in Opposition to Motion filed by Chevron Corporation, 474 Answer to Amended Complaint filed by Ann Maest, Stratus Consulting, Inc., Douglas Beltman, 616 Response in Opposition to Motion,, filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje, 583 MOTION for Summary Judgment – CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT ON ITS EIGHTH CLAIM FOR RELIEF (VIOLATION OF NEW YORK JUDICIARY LAW 487). filed by Chevron Corporation, 620 Stipulation and Order, Set Deadlines/Hearings,, 550 Memorandum & Opinion,,,,,,,,, 655 Status Report filed by Donziger & Associates, PLLC, Steven Donziger, The Law Offices of Steven R. Donziger, 633 Order on Motion to Compel, Order on Motion for Protective Order,,,,,,,,, 527 Memorandum of Law in Support of Motion filed by Patton Boggs LLP, 640 Notice of Appearance,,, filed by Wina Enomenga, Pego Enomenga, Mencay Baihua Tega, Nantoqui Nenquimo, Cope Tega Huani, Ehuenguinto Tega, Okata Quipa Nihua, gaware Tega Huani, Nama Baihua Huani, Onenca Enomenga, Apra Quemperi Yate, menemo Huani Baihua, Omene Baihua Huani, Miipo Yatehue Kemperi, Martin Baihua Miipo, Minihua Huani Yate, Daniel Ehuengei, Kemperi Baihua Huani, Abamo Omene, Teweyene Luciana Nam Tega, Wagui Coba Huani, Ahuame Huani Baihua, Ahua Baihua Caiga, Cai Baihua Quemperi, Namu Huani Yate, Wane Ima, Bebanca Tega Huani, Pentibo Baihua Miipo, Tepaa Quimontari Waiwa, Omayihue Baihua, Mima Yeti, Cahuiya Omaca, Conta Nenquimo Quimontari, Omari Apica Huani, Nenquimo Venancio Nihua, Yehua Tega Huani, Comita Huani Yate, Compa Guiquita, Weica Apica Huani, Bai Baihua Miipo, Dabota Tega Huani, Tapare Ahua Yete, 531 Response, filed by Chevron Corporation, 644 Order, 609 Stipulation and Order, Set Deadlines,, 612 Counter Statement to Rule 56.1 filed by Donziger & Associates, PLLC, Steven Donziger, The Law Offices of Steven R. Donziger, 592 MOTION to Quash. filed by Laura Belanger, 581 Reply Memorandum of Law in Support of Motion filed by Donziger & Associates, PLLC, Steven Donziger, The Law Offices of Steven R. Donziger, 557 Declaration in Support of Motion, filed by Patton Boggs LLP, 670 Notice of Interlocutory Appeal filed by Republic of Ecuador, 476 Notice of Appearance filed by Joseph C. Kohn, Kohn Swift & Graf, P.C., 579 Response to Discovery filed by Patton Boggs LLP, 523 Declaration in Support of Motion filed by Patton Boggs LLP, 529 Declaration in Support of Motion, filed by Patton Boggs LLP, 605 Notice of Filing Transcript,, 491 Order on Motion to Appear Pro Hac Vice, 479 Response in Opposition to Motion, filed by Andrew Woods, Laura J Garr, 600 MOTION for Judgment on the Pleadings Defendants Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje's Notice of Motion for Judgment on the Pleadings. filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje, 497 Endorsed Letter,,,,, 551 Order on Motion for Summary Judgment, 558 Reply Memorandum of Law in Support of Motion filed by Patton Boggs LLP, 580 Reply Memorandum of Law in Oppisition to Motion, filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje, 663 Status Report, filed by Chevron Corporation, 510 Response filed by Joseph C. Kohn, Kohn Swift & Graf, P.C., 615 Memorandum of Law in Opposition to Motion, filed by Chevron Corporation, 470 Letter,, filed by Donziger & Associates, PLLC, Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje, Steven Donziger, 666 Status Report, filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje, 654 Letter, 468 Memorandum & Opinion,,, 489 MOTION for Joshua J. Voss to Appear Pro Hac Vice. filed by Joseph C. Kohn, Kohn Swift & Graf, P.C., 501 Declaration in Opposition to Motion filed by Ann Maest, Stratus Consulting, Inc., Douglas Beltman, 469 Certificate of Clerk, 598 Transcript,, 478 Response to Motion filed by Joseph C. Kohn, Kohn Swift & Graf, P.C., 613 Declaration in Support of Motion,, filed by Donziger & Associates, PLLC, Steven Donziger, The Law Offices of Steven R. Donziger, 597 Order on Motion to Quash,,,,, 547 Affidavit in Opposition to Motion filed by Chevron Corporation, 484 Memorandum of Law in Support of Motion filed by Chevron Corporation, 534 Endorsed Letter, Set Deadlines/Hearings,, 493 MOTION for Discovery for Miscellaneous Relief in Connection with Responding to Non-Party Subpoena propounded by Chevron

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		<p>Waiwa, Omayihue Baihua, Mima Yeti, Cahuiya Omaca, Conta Nenquimo Quimontari, Omari Apica Huani, Yehua Tega Huani, Nenquimo Venancio Nihua, Comita Huani Yate, Compa Guiquita, Weica Apica Huani, Bai Baihua Miipo, Dabota Tega Huani, Tapare Ahua Yete, <u>694</u> Declaration in Support of Motion, filed by Ann Maest, Stratus Consulting, Inc., Douglas Beltman, <u>719</u> Stipulation and Order, Set Deadlines/Hearings, <u>707</u> Memorandum &amp; Opinion, <u>699</u> MOTION for Leave to File Excess Pages filed by Wina Enomenga, Pego Enomenga, Mencay Baihua Tega, Nantoqui Nenquimo, Cope Tega Huani, Ehuenguinto Tega, Okata Quipa Nihua, gaware Tega Huani, Nama Baihua Huani, Onenca Enomenga, Apará Quemperi Yate, menemo Huani Baihua, Omene Baihua Huani, Miipo Yatehue Kemperi, Martin Baihua Miipo, Minihua Huani Yate, Daniel Ehuengei, Kemperi Baihua Huani, Abamo Omene, Teweyene Luciana Nam Tega, Wagui Coba Huani, Ahuame Huani Baihua, Ahua Baihua Caiga, Cai Baihua Quemperi, Namó Huani Yate, Wane Ima, Bebanca Tega Huani, Pentibo Baihua Miipo, Tepaa Quimontari Waiwa, Omayihue Baihua, Mima Yeti, Cahuiya Omaca, Conta Nenquimo Quimontari, Omari Apica Huani, Nenquimo Venancio Nihua, Yehua Tega Huani, Comita Huani Yate, Compa Guiquita, Weica Apica Huani, Bai Baihua Miipo, Dabota Tega Huani, Tapare Ahua Yete, <u>711</u> Memorandum of Law in Opposition to Motion, filed by Chevron Corporation, <u>727</u> Reply Memorandum of Law in Support of Motion filed by Ann Maest, Stratus Consulting, Inc., Douglas Beltman, <u>689</u> Memorandum of Law in Opposition to Motion, filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje, <u>685</u> Stipulation and Order, Set Deadlines/Hearings, <u>693</u> MOTION to Amend/Correct <u>499</u> Amended Answer to Complaints <i>to add counterclaims</i> filed by Ann Maest, Stratus Consulting, Inc., Douglas Beltman, <u>714</u> Declaration in Opposition, filed by Chevron Corporation, <u>723</u> Protective Order, <u>720</u> Order, <u>712</u> Memorandum of Law in Opposition, filed by Donziger &amp; Associates, PLLC, Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje, Steven Donziger, <u>709</u> Reply Memorandum of Law in Support of Motion, filed by Wina Enomenga, Pego Enomenga, Mencay Baihua Tega, Nantoqui Nenquimo, Cope Tega Huani, Ehuenguinto Tega, Okata Quipa Nihua, gaware Tega Huani, Nama Baihua Huani, Onenca Enomenga, menemo Huani Baihua, Omene Baihua Huani, Miipo Yatehue Kemperi, Martin Baihua Miipo, Minihua Huani Yate, Daniel Ehuengei, Kemperi Baihua Huani, Abamo Omene, Teweyene Luciana Nam Tega, Wagui Coba Huani, Ahuame Huani Baihua, Ahua Baihua Caiga, Cai Baihua Quemperi, Namó Huani Yate, Wane Ima, Bebanca Tega Huani, Pentibo Baihua Miipo, Tepaa Quimontari Waiwa, Omayihue Baihua, Mima Yeti, Cahuiya Omaca, Conta Nenquimo Quimontari, Omari Apica Huani, Nenquimo Venancio Nihua, Yehua Tega Huani, Comita Huani Yate, Compa Guiquita, Weica Apica Huani, Bai Baihua Miipo, Dabota Tega Huani, Tapare Ahua Yete, <u>721</u> Order, <u>688</u> Declaration in Opposition to Motion filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje, <u>704</u> Status Report, filed by Chevron Corporation, <u>690</u> Joinder filed by Donziger &amp; Associates, PLLC, Steven Donziger, The Law Offices of Steven R. Donziger, <u>698</u> MOTION for Protective Order <i>to Strike Plaintiff Chevron Corporation's Subpoenas to Produce Documents, Information, or Objects and for Clarification on the Status of Three Specific Subpoenas Issued by Defendants</i> filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje, <u>702</u> Order, <u>706</u> Memorandum of Law in Opposition to Motion, filed by Chevron Corporation, <u>705</u> Status Report, filed by Chevron Corporation, <u>703</u> Stipulation and Order, Set Deadlines/Hearings, <u>697</u> Memorandum of Law in Support of Motion filed by Chevron Corporation, <u>725</u> Order, <u>715</u> Declaration in Opposition, filed by Patton Boggs LLP, <u>679</u> Memorandum &amp; Opinion, <u>724</u> Order on Motion to Intervene, <u>713</u> Memorandum of Law in Opposition, filed by Chevron Corporation, <u>696</u> MOTION to Dismiss filed by Chevron Corporation were transmitted to the U.S. Court of Appeals. (tp) Modified on 1/18/2013 (tp). (Entered: 01/18/2013)</p>
01/22/2013	<u>730</u>	<p>REPLY MEMORANDUM OF LAW in Support re: <u>696</u> MOTION to Dismiss. <i>PLAINTIFF CHEVRON CORPORATION'S REPLY MEMORANDUM OF LAW IN SUPPORT OF ITS MOTION TO DISMISS DEFENDANTS STEVEN DONZIGER, THE LAW OFFICES OF STEVEN R. DONZIGER, AND DONZIGER &amp; ASSOCIATES, PLLC'S COUNTERCLAIMS.</i> Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 01/22/2013)</p>
01/22/2013	731	<p><b>***STRICKEN DOCUMENT. The document was stricken from this case pursuant to <u>826</u> Order on Motion to Strike . AMENDED ANSWER to <u>283</u></b></p>



		Amended Complaint,,,,,, with JURY DEMAND. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Werdegar, Matthew) Modified on 2/20/2013 (mro). (Entered: 01/22/2013)
01/22/2013	<u>732</u>	<b>***STRICKEN DOCUMENT. The document was stricken from this case pursuant to <u>826</u> Order on Motion to Strike .</b> ANSWER to <u>283</u> Amended Complaint,,,,,, with JURY DEMAND. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(Doyle, Tyler) Modified on 2/20/2013 (mro). Modified on 2/20/2013 (mro). (Entered: 01/22/2013)
01/22/2013	<u>733</u>	MEMORANDUM OF LAW in Opposition re: <u>728</u> SECOND MOTION for Protective Order to Strike Chevron Subpoenas to Produce Documents.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J)(Mastro, Randy) (Entered: 01/22/2013)
01/23/2013	<u>734</u>	NOTICE of Recent Ruling re: <u>562</u> MOTION to Compel DEFENDANTS STEVEN DONZIGER, THE LAW OFFICES OF STEVEN R. DONZIGER, DONZIGER & ASSOCIATES, PLLC, JAVIER PIAGUAJE PAYAGUAJE, AND HUGO GERARDO CAMACHO NARANJO to PRODUCE DOCUMENTS.. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit Exhibit A to Notice of Recent Ruling)(Doyle, Tyler) (Entered: 01/23/2013)
01/23/2013	<u>735</u>	<b>FILING ERROR – DEFICIENT DOCKET ENTRY –</b> MOTION for Peter E. Seley to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208–8167894. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Text of Proposed Order)(Mastro, Randy) Modified on 1/23/2013 (bwa). (Entered: 01/23/2013)
01/23/2013	<u>736</u>	DECLARATION of Randy M. Mastro in Support re: <u>735</u> MOTION for Peter E. Seley to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208–8167894. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1)(Mastro, Randy) (Entered: 01/23/2013)
01/23/2013		<b>&gt;&gt;&gt;NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice regarding Document No. <u>735</u> MOTION for Peter E. Seley to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208–8167894. Motion and supporting papers to be reviewed by Clerk's Office staff.. The filing is deficient for the following reason(s): Missing Certificate of Good Standing. Re–file the document as a Corrected Motion to Appear Pro Hac Vice and attach a valid Certificate of Good Standing, issued within the past 30 days. (bwa)</b> (Entered: 01/23/2013)
01/23/2013	<u>737</u>	MOTION for Peter E. Seley to Appear Pro Hac Vice. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration of Randy M. Mastro in Support, # <u>2</u> Exhibit 1 – Certificate of Good Standing of Peter E. Seley, # <u>3</u> Text of Proposed Order)(Mastro, Randy) (Entered: 01/23/2013)
01/23/2013	<u>738</u>	MEMO ENDORSEMENT ON DEFENDANTS HUGO GERARDO CAMACHO NARANJO AND JAVIER PIAGUAJE PIAGUAJE'S RENEWED MOTION FOR A PROTECTIVE ORDER TO STRIKE PLAINTIFF CHEVRON CORPORATION'S SUBPOENAS TO PRODUCE DOCUMENTS, INFORMATION OR OBJECTS: The LAP Representatives here move – for a second time – for a protective order with respect to certain subpoenas served by Chevron on non–party witnesses, purportedly pursuant to leave granted by the Court in its order disposing of the earlier motion. I Dkt. 708, at 3–4. Accordingly, this motion is granted to the extent that (a) Chevron shall take no action to enforce Subpoenas 2, 4,5,8, 12a, 12b, 14a, 15a, 16 and 18 listed on Dkt. 698, Ex. A (which correspond to nos. I through 10 and Exhibit 1 to Dkt. 728) nor obtain any documents or things pursuant thereto, (b) Subpoenas 14a and 15a are quashed, and (c) Chevron shall take no action to enforce specifications 3 through 7 or 14 of the Russell subpoena, specification 8 or 10 of the IE subpoena, and specifications 4,9, and 15 of the PH subpoena or obtain any documents or other things pursuant thereto. The stay contained in the final sentence of Dkt. 708 is vacated, as it has



		been superseded by this order as to Subpoenas 2, 4,5,8, 12a, 12b, 14a, 15a, 16 and 18 and no longer is necessary or appropriate as to the others. (Signed by Judge Lewis A. Kaplan on 1/23/2013) (ago) (Entered: 01/23/2013)
01/23/2013	<u>739</u>	ORDER granting <u>737</u> Motion for Peter E Seley to Appear Pro Hac Vice. (Signed by Judge Lewis A. Kaplan on 1/23/13) (Kaplan, Lewis) (Entered: 01/23/2013)
01/24/2013		<b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>737</u> MOTION for Peter E. Seley to Appear Pro Hac Vice. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bwa)</b> (Entered: 01/24/2013)
01/24/2013	<u>740</u>	MEMO ENDORSEMENT on <u>693</u> Motion to Amend/Correct: The motion for leave to serve an amended answer containing new counterclaims (Dkt. 693) is granted to the extent that Stratus may serve such an amended pleading that varies from its existing answer only in that it may contain the counterclaims set forth in the proposed amended pleading to the extent, and only to the extent, that they are based entirely on (1) the video referred to in paragraph 24 of the proposed pleading, which is said to have been used to make defamatory statements in October and November 2012, (2) the communications with the Portland Harbor Trustee Council referred to in paragraphs 29–61, (3) the October 30, 2012 post on The Amazon Post that is referred to in paragraphs 62–65. and (4) the November 2012 video referred to in paragraphs 66–71. The motion is denied in all other respects. Any such amended answer shall be served no later than February 2, 2013. Any motion to dismiss or for judgment on the pleadings dismissing any such counterclaims shall be filed no later than February 18, 2013 with answering and reply papers to be filed no later than March 4 and March 11, 2013. This ruling is without prejudice to an application, after any new counterclaims are filed, to stay discovery with respect to such counterclaims pending the filing and determination of a motion addressed to their legal sufficiency. (Signed by Judge Lewis A. Kaplan on 1/24/213) (ft) (Entered: 01/24/2013)
01/24/2013		Set/Reset Deadlines: Motions due by 2/18/2013. Responses due by 3/11/2013. Replies due by 3/4/2013. (ft) (Entered: 01/24/2013)
01/25/2013	<u>741</u>	Letter addressed to Judge Lewis A. Kaplan from Richard Herz dated 1/23/2013 Re: Chevron's brief of January 22,2013 presents an inaccurate and utterly incomplete description of the issues surrounding the subpoena. issued to Non–Party Amazon Watch. See Dkt.733 at 4, n.2. On behalf of Non–Party Amazon Watch, I respectfully write to correct the record. I note that the Court's prior ruling suggests that the issue of when service was effected on Amazon Watch is one the Court will leave to the issuing court to ultimately decide. See Dkt. 679 at 7. To resolve that issue, the court that hears it will need to first decide whether Chevron may rescind its express agreement. Even if the Court were to permit Chevron to do so, it must then determine whether, service was proper in the first instance. These questions are neither central to the case nor extend beyond the specifics of this particular subpoena, and a ruling is not necessary to insure that general discovery issues will receive uniform treatment. Dkt. 679 at 7. Nonetheless, should the Court choose to rule on the matter, we respectfully request the opportunity to brief these questions. (ago) (Entered: 01/25/2013)
01/28/2013	<u>742</u>	MOTION to Strike Document No. [Nos. 731 and 732] <i>CHEVRON CORPORATION'S NOTICE OF MOTION TO STRIKE DEFENDANTS' AMENDED ANSWERS</i> . Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 01/28/2013)
01/28/2013	<u>743</u>	MEMORANDUM OF LAW in Support re: <u>742</u> MOTION to Strike Document No. [Nos. 731 and 732] <i>CHEVRON CORPORATION'S NOTICE OF MOTION TO STRIKE DEFENDANTS' AMENDED ANSWERS</i> .. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 01/28/2013)
01/28/2013	<u>744</u>	MOTION for Partial Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT ON ALL CLAIMS, COUNTERCLAIMS AND AFFIRMATIVE DEFENSES, AND SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSE OF COLLATERAL ESTOPPEL</i> . Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 01/28/2013)

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01/28/2013	<u>745</u>	MEMORANDUM OF LAW in Support re: <u>744</u> MOTION for Partial Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT ON ALL CLAIMS, COUNTERCLAIMS AND AFFIRMATIVE DEFENSES, AND SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSE OF COLLATERAL ESTOPPE</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 01/28/2013)
01/28/2013	<u>746</u>	DECLARATION of Randy M. Mastro in Support re: <u>744</u> MOTION for Partial Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT ON ALL CLAIMS, COUNTERCLAIMS AND AFFIRMATIVE DEFENSES, AND SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSE OF COLLATERAL ESTOPPE</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, Part 1a, # <u>4</u> Exhibit C, Part 1b, # <u>5</u> Exhibit C, Part 2, # <u>6</u> Exhibit C, Part 3, # <u>7</u> Exhibit D, Part 1, # <u>8</u> Exhibit D, Part 2, # <u>9</u> Exhibit D, Part 3, # <u>10</u> Exhibit E, # <u>11</u> Exhibit F, # <u>12</u> Exhibit G, # <u>13</u> Exhibit H, # <u>14</u> Exhibit I)(Mastro, Randy) (Entered: 01/28/2013)
01/28/2013	<u>747</u>	TRANSCRIPT of Proceedings re: HEARING held on 12/20/2012 before Judge Lewis A. Kaplan. Court Reporter/Transcriber: Sonya Ketter Huggins, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 2/22/2013. Redacted Transcript Deadline set for 3/4/2013. Release of Transcript Restriction set for 5/2/2013.(McGuirk, Kelly) (Entered: 01/28/2013)
01/28/2013	<u>748</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a HEARING proceeding held on 12/20/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 01/28/2013)
01/28/2013	<u>749</u>	TRANSCRIPT of Proceedings re: HEARING held on 12/21/2012 before Judge Lewis A. Kaplan. Court Reporter/Transcriber: Jennifer Thun, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 2/22/2013. Redacted Transcript Deadline set for 3/4/2013. Release of Transcript Restriction set for 5/2/2013.(McGuirk, Kelly) (Entered: 01/28/2013)
01/28/2013	<u>750</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a HEARING proceeding held on 12/21/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 01/28/2013)
01/28/2013	<u>751</u>	SEALED DOCUMENT placed in vault.(mps) (Entered: 01/28/2013)
01/28/2013	<u>752</u>	RULE 56.1 STATEMENT. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 01/28/2013)
01/28/2013	<u>753</u>	<b>FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU –</b> MOTION for Reconsideration re; <u>738</u> Memo Endorsement, <i>Partial Reconsideration of Order Granting LAPs' Motion for a Protective Order</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Mastro, Randy) Modified on 1/29/2013 (Idi). (Entered: 01/28/2013)
01/28/2013	<u>754</u>	DECLARATION of Jason Stavers in Support re: <u>744</u> MOTION for Partial Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR</i>

		<i>PARTIAL SUMMARY JUDGMENT ON ALL CLAIMS, COUNTERCLAIMS AND AFFIRMATIVE DEFENSES, AND SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSE OF COLLATERAL ESTOPPE.</i> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 3101 to 3105, # <u>2</u> Exhibit 3106, # <u>3</u> Exhibit 3107, # <u>4</u> Exhibit 3108, # <u>5</u> Exhibit 3109, # <u>6</u> Exhibit 3110 to 3115, # <u>7</u> Exhibit 3116 to 3120, # <u>8</u> Exhibit 3121, # <u>9</u> Exhibit 3122, # <u>10</u> Exhibit 3123, # <u>11</u> Exhibit 3124, # <u>12</u> Exhibit 3125, # <u>13</u> Exhibit 3126, # <u>14</u> Exhibit 3127, # <u>15</u> Exhibit 3128, # <u>16</u> Exhibit 3129, # <u>17</u> Exhibit 3130, # <u>18</u> Exhibit 3131, # <u>19</u> Exhibit 3132, # <u>20</u> Exhibit 3133, # <u>21</u> Exhibit 3134, # <u>22</u> Exhibit 3135, # <u>23</u> Exhibit 3136, # <u>24</u> Exhibit 3137, # <u>25</u> Exhibit 3138, # <u>26</u> Exhibit 3139, # <u>27</u> Exhibit 3140, # <u>28</u> Exhibit 3141, # <u>29</u> Exhibit 3142, # <u>30</u> Exhibit 3143, # <u>31</u> Exhibit 3144, # <u>32</u> Exhibit 3145, # <u>33</u> Exhibit 3146, # <u>34</u> Exhibit 3147, # <u>35</u> Exhibit 3148, # <u>36</u> Exhibit 3149, # <u>37</u> Exhibit 3150, # <u>38</u> Exhibit 3151, # <u>39</u> Exhibit 3152, # <u>40</u> Exhibit 3153, # <u>41</u> Exhibit 3154, # <u>42</u> Exhibit 3155, # <u>43</u> Exhibit 3156, # <u>44</u> Exhibit 3157, # <u>45</u> Exhibit 3158, # <u>46</u> Exhibit 3159, # <u>47</u> Exhibit 3160, # <u>48</u> Exhibit 3161, # <u>49</u> Exhibit 3162, # <u>50</u> Exhibit 3163, # <u>51</u> Exhibit 3164, # <u>52</u> Exhibit 3165, # <u>53</u> Exhibit 3166, # <u>54</u> Exhibit 3167, # <u>55</u> Exhibit 3168, # <u>56</u> Exhibit 3169, # <u>57</u> Exhibit 3170, # <u>58</u> Exhibit 3171, # <u>59</u> Exhibit 3172, # <u>60</u> Exhibit 3173, # <u>61</u> Exhibit 3174, # <u>62</u> Exhibit 3175, # <u>63</u> Exhibit 3176, # <u>64</u> Exhibit 3177, # <u>65</u> Exhibit 3178, # <u>66</u> Exhibit 3179, # <u>67</u> Exhibit 3180, # <u>68</u> Exhibit 3181, # <u>69</u> Exhibit 3182, # <u>70</u> Exhibit 3183, # <u>71</u> Exhibit 3184, # <u>72</u> Exhibit 3185, # <u>73</u> Exhibit 3186, # <u>74</u> Exhibit 3187, # <u>75</u> Exhibit 3188, # <u>76</u> Exhibit 3189, # <u>77</u> Exhibit 3190, # <u>78</u> Exhibit 3191, # <u>79</u> Exhibit 3192, # <u>80</u> Exhibit 3193, # <u>81</u> Exhibit 3194, # <u>82</u> Exhibit 3195, # <u>83</u> Exhibit 3196, # <u>84</u> Exhibit 3197, # <u>85</u> Exhibit 3198, # <u>86</u> Exhibit 3199, # <u>87</u> Exhibit 3200)(Stavers, Jason) (Entered: 01/28/2013)
01/28/2013	<u>755</u>	DECLARATION of Jason Stavers in Support re: <u>744</u> MOTION for Partial Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT ON ALL CLAIMS, COUNTERCLAIMS AND AFFIRMATIVE DEFENSES, AND SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSE OF COLLATERAL ESTOPPE.</i> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 3201 to 3207, # <u>2</u> Exhibit 3208, # <u>3</u> Exhibit 3209 to 3211, # <u>4</u> Exhibit 3212 to 3214, # <u>5</u> Exhibit 3215, # <u>6</u> Exhibit 3216, # <u>7</u> Exhibit 3217 to 3229, # <u>8</u> Exhibit 3230 to 3236, # <u>9</u> Exhibit 3237 to 3246, # <u>10</u> Exhibit 3247 to 3254, # <u>11</u> Exhibit 3255 to 3265, # <u>12</u> Exhibit 3266, # <u>13</u> Exhibit 3267, # <u>14</u> Exhibit 3268 to 3274, # <u>15</u> Exhibit 3275 to 3277, # <u>16</u> Exhibit 3278, Part 1, # <u>17</u> Exhibit 3278, Part 2, # <u>18</u> Exhibit 3278, Part 3, # <u>19</u> Exhibit 3278, Part 4, # <u>20</u> Exhibit 3278, Part 5, # <u>21</u> Exhibit 3278, Part 6, # <u>22</u> Exhibit 3278, Part 7, # <u>23</u> Exhibit 3278, Part 8, # <u>24</u> Exhibit 3278, Part 9, # <u>25</u> Exhibit 3278, Part 10, # <u>26</u> Exhibit 3279 to 3280, # <u>27</u> Exhibit 3281 to 3284, # <u>28</u> Exhibit 3285 to 3287)(Stavers, Jason) (Entered: 01/29/2013)
01/28/2013		<b>***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Randy M. Mastro to RE-FILE Document <u>753</u> MOTION for Reconsideration re; <u>738</u> Memo Endorsement, Partial Reconsideration of Order Granting LAPs' Motion for a Protective Order. MOTION for Reconsideration re; <u>738</u> Memo Endorsement, Partial Reconsideration of Order Granting LAPs' Motion for a Protective Order. Use the event type Memorandum of Law in Support of Motion found under the event list Replies, Opposition and Supporting Documents. NOTE: You must file a Motion first, then re-file Memorandum and link to motion. (Idi)</b> (Entered: 01/29/2013)
01/29/2013	<u>756</u>	MOTION for Reconsideration re; <u>738</u> Memo Endorsement,,,, – <i>MOTION IN SUPPORT OF PLAINTIFF CHEVRON CORPORATION'S MOTION FOR PARTIAL RECONSIDERATION OF ORDER STRIKING SUBPOENAS.</i> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Mastro, Randy) (Entered: 01/29/2013)
01/30/2013	<u>757</u>	ORDER TO SHOW CAUSE WHY AN ORDER AND TEMPORARY RESTRAINING ORDER FURTHER PROTECTING THE CONFIDENTIAL DECLARATIONS OF DOE 1 OR DOE 2 SHOULD NOT BE ENTERED. Document filed by Chevron Corporation.(Mastro, Randy) Modified on 1/31/2013 (db). Modified on 1/31/2013 (db). (Entered: 01/30/2013)

01/30/2013	<u>758</u>	MEMORANDUM OF LAW in Support re: <u>757</u> MOTION for Order to Show Cause – <i>ORDER TO SHOW CAUSE WHY AN ORDER AND TEMPORARY RESTRAINING ORDER FURTHER PROTECTING THE CONFIDENTIAL DECLARATIONS OF DOE 1 OR DOE 2 SHOULD NOT BE ENTERED..</i> Document filed by Chevron Corporation. (Mastro, Randy) Modified on 1/31/2013 (db). Modified on 1/31/2013 (db). (Entered: 01/30/2013)
01/30/2013	<u>759</u>	DECLARATION of Anne M. Champion in Support re: <u>757</u> MOTION for Order to Show Cause – <i>ORDER TO SHOW CAUSE WHY AN ORDER AND TEMPORARY RESTRAINING ORDER FURTHER PROTECTING THE CONFIDENTIAL DECLARATIONS OF DOE 1 OR DOE 2 SHOULD NOT BE ENTERED.</i> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11)(Mastro, Randy) Modified on 1/31/2013 (db). Modified on 1/31/2013 (db). (Entered: 01/30/2013)
01/30/2013	<u>760</u>	<i>ORDER TO SHOW CAUSE WHY AN ORDER AND TEMPORARY RESTRAINING ORDER FURTHER PROTECTING THE CONFIDENTIAL DECLARATIONS OF DOE 1 OR DOE 2 SHOULD NOT BE ENTERED:</i> Defendants shall show cause as to why an order should not be entered granting Chevron's Motion for Further Protective Order Regarding the Confidential Declarations of Doe 1 and Doe 2 restricting the right of access to the Doe 1 and Doe 2 declarations filed by Chevron in support of its motion for summary judgment (and any identifying information about them that has been redacted in other declarations) to counsel of record for Defendants appearing in this action. Chevron shall serve counsel for Defendants, by hand, facsimile, or e-mail a copy of this Order to Show Cause and all papers submitted in support thereof on or before 3:00 p.m. on 1/30/2013. Pending the hearing and determination of this matter, Chevron's request for a temporary restraining order is granted, and Defendants shall not disclose the Doe 1 and Doe 2 declarations filed by Chevron in support of its motion for summary judgment, or any identifying information about Doe 1 and Doe 2 that has been redacted in other declarations, with anyone other than counsel of record in this action. (Show Cause Hearing set for 2/4/2013 at 11:00 AM in Courtroom 12D, 500 Pearl Street, New York, NY 10007 before Judge Lewis A. Kaplan.) Replies due by 2/3/2013 Show Cause Response due by 2/1/2013.) (Signed by Judge Lewis A. Kaplan on 1/30/2013) (tro) Modified on 1/30/2013 (tro). (Entered: 01/30/2013)
01/30/2013	<u>761</u>	<i>ORDER TO SHOW CAUSE WHY AN ORDER AND TEMPORARY RESTRAINING ORDER FURTHER PROTECTING THE CONFIDENTIAL DECLARATIONS OF DOE 1 OR DOE 2 SHOULD NOT BE ENTERED.</i> It is hereby Ordered that the Defendants show cause before this Court, at the United States District Courthouse, Room 12D, 500 Pearl Street, New York, New York, on Monday, February 4, 2013 at 11:00 a.m. why an order should not be entered granting Chevron's Motion for Further Protective Order Regarding the Confidential Declarations of Doe 1 and Doe 2 restricting the right of access to the Doe 1 and Doe 2 declarations filed by Chevron in support of its motion for summary judgment (and any identifying information about them that has been redacted in other declarations) to counsel of record for Defendants appearing in this action; and it is further Ordered that Chevron shall serve counsel for Defendants, by hand, facsimile, or e-mail a copy of this Order to Show Cause and all papers submitted in support thereof on or before 3:00 p.m. on January 30, 2013; and it is further Ordered that papers in opposition to the Motion, if any, shall be served and filed electronically on or before 2:00 p.m. on February 1, 2013; and it is further Ordered that reply papers, if any, shall be served and filed electronically on or before 10:00 a.m. on February 3, 2013; and it is further Ordered that pending the hearing and determination of this matter, Chevron's request for a temporary restraining order is granted, and Defendants shall not disclose the Doe 1 and Doe 2 declarations filed by Chevron in support of its motion for summary judgment, or any identifying information about Doe 1 and Doe 2 that has been redacted in other declarations, with anyone other than counsel of record in this action. (Show Cause Hearing set for 2/4/2013 at 11:00 AM in Courtroom 12D, U.S. Courthouse, 500 Pearl Street, New York, NY 10007 before Judge Lewis A. Kaplan.) (Signed by Judge Lewis A. Kaplan on 1/30/2013) (rjm) (Entered: 01/30/2013)



01/30/2013		Set/Reset Deadlines: Responses due by 2/1/2013. Replies due by 2/3/2013. (rjm) (Entered: 01/30/2013)
01/30/2013	<u>762</u>	ORDER: The final decretal paragraph of the order to show cause issued earlier today is corrected to read: ORDERED, that pending the hearing and determination of this motion, Chevron's request for a temporary restraining order is granted, and Defendants shall not disclose either of the Doe 1 and Doe 2 declarations filed by Chevron in support of its motion for summary judgment, or any identifying information about Doe 1 or Doe 2 that has been redacted in other declarations, to anyone other than counsel of record in this action. (Signed by Judge Lewis A. Kaplan on 1/30/2013) (mt) (Entered: 01/30/2013)
01/31/2013	<u>763</u>	DECLARATION of Jason B. Stavers in Support re: <u>744</u> MOTION for Partial Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT ON ALL CLAIMS, COUNTERCLAIMS AND AFFIRMATIVE DEFENSES, AND SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSE OF COLLATERAL ESTOPPE</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 3150, # <u>2</u> Exhibit 3247, # <u>3</u> Exhibit 3270, # <u>4</u> Exhibit 3274, # <u>5</u> Exhibit 3676, # <u>6</u> Exhibit 3289, # <u>7</u> Exhibit 3290, # <u>8</u> Exhibit 3291, # <u>9</u> Exhibit 3292)(Stavers, Jason) (Entered: 01/31/2013)
01/31/2013	<u>764</u>	RULE 56.1 STATEMENT. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 01/31/2013)
02/01/2013	<u>765</u>	<b>FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU –</b> DECLARATION of Benjamin H. Green in Opposition re: <u>757</u> MOTION for Order to Show Cause – <i>ORDER TO SHOW CAUSE WHY AN ORDER AND TEMPORARY RESTRAINING ORDER FURTHER PROTECTING THE CONFIDENTIAL DECLARATIONS OF DOE 1 OR DOE 2 SHOULD NOT BE ENTERED..</i> Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Attachments: # <u>1</u> Exh. A, # <u>2</u> Exh. B)(Green, Benjamin) Modified on 2/4/2013 (db). (Entered: 02/01/2013)
02/01/2013	<u>766</u>	REDACTION to <u>758</u> Memorandum of Law in Support of Motion, <u>760</u> Order to Show Cause, Set Deadlines,,,,,,,,,, <u>761</u> Order to Show Cause,,,,,, by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje(Doyle, Tyler) (Entered: 02/01/2013)
02/01/2013	<u>767</u>	JOINDER to join re: <u>766</u> Redacted Document <i>Defendants Steven Donziger, The Law Offices of Steven R. Donziger and Donziger &amp; Associates, PLLC's Notice of Joinder and Joinder in Defendants Hugo Gerardo Camacho Naranjo's and Javier Piaguaje Payaguaje's Response to Order to Show Cause Why an Order Further Protecting the Declarations of Doe 1 or Doe 2 Should Not Be Entered</i> . Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger.(Little, Jan) (Entered: 02/01/2013)
02/01/2013	<u>768</u>	ANSWER to Complaint with JURY DEMAND., COUNTERCLAIM against Chevron Corporation. Document filed by Stratus Consulting, Inc., Douglas Beltman, Ann Maest. (Attachments: # <u>1</u> Exh. A, # <u>2</u> Exh. B, # <u>3</u> Exh. C, # <u>4</u> Exh. D, # <u>5</u> Exh. E, # <u>6</u> Exh. F, # <u>7</u> Exh. G)(Krause, Stuart) (Entered: 02/01/2013)
02/03/2013	<u>769</u>	REPLY MEMORANDUM OF LAW in Support re: <u>757</u> MOTION for Order to Show Cause – <i>ORDER TO SHOW CAUSE WHY AN ORDER AND TEMPORARY RESTRAINING ORDER FURTHER PROTECTING THE CONFIDENTIAL DECLARATIONS OF DOE 1 OR DOE 2 SHOULD NOT BE ENTERED. REDACTED PUBLIC VERSION</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/03/2013)
02/03/2013	<u>770</u>	DECLARATION of Anne M. Champion in Support re: <u>757</u> MOTION for Order to Show Cause – <i>ORDER TO SHOW CAUSE WHY AN ORDER AND TEMPORARY RESTRAINING ORDER FURTHER PROTECTING THE CONFIDENTIAL DECLARATIONS OF DOE 1 OR DOE 2 SHOULD NOT BE ENTERED..</i> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Mastro, Randy) (Entered: 02/03/2013)

02/04/2013	<u>771</u>	MOTION to Strike Document No. [152, 154–5, 154–6]. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit)(Mastro, Randy) (Entered: 02/04/2013)
02/04/2013	<u>772</u>	SEALED DOCUMENT placed in vault.(nm) (Entered: 02/04/2013)
02/04/2013		<b>***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Benjamin H. Green to RE-FILE Document <u>765</u> Declaration in Opposition to Motion. Use the event type Declaration in Opposition (non-motion) found under the event list Other Answers. (db)</b> (Entered: 02/04/2013)
02/04/2013	<u>773</u>	DECLARATION of Benjamin H. Green in Opposition re: <u>757</u> MOTION for Order to Show Cause – <i>ORDER TO SHOW CAUSE WHY AN ORDER AND TEMPORARY RESTRAINING ORDER FURTHER PROTECTING THE CONFIDENTIAL DECLARATIONS OF DOE 1 OR DOE 2 SHOULD NOT BE ENTERED.</i> . Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Green, Benjamin) (Entered: 02/04/2013)
02/04/2013	<u>774</u>	ORDER: As stated in open court today, Patton Boggs shall complete production of responsive, non-privileged, non-electronically stored documents by February 28, 2013. To the extent any responsive documents are withheld based on claims of work product and/or privilege, Patton Boggs shall provide the parties and the Court with a privilege log scheduling those documents by March 15, 2013. (Signed by Judge Lewis A. Kaplan on 2/4/2013) (cd) (Entered: 02/04/2013)
02/04/2013	<u>775</u>	SEALED DOCUMENT placed in vault.(mps) (Entered: 02/04/2013)
02/04/2013	<u>776</u>	Letter addressed to Judge Lewis A. Kaplan from John W, Keker dated 2/1/2013 re: Accordingly, the Donziger defendants are submitting this matter on the pleadings. Document filed by Steven Donziger, Donziger & Associates, PLLC.(cd) (Entered: 02/04/2013)
02/04/2013	<u>777</u>	Letter addressed to Judge Lewis A. Kaplan from John W. Keker dated 02/01/2013 re: We have received Mr. Mastro's letter of January 31 indicating that he will not be able to attend Monday morning's hearing on the Order to Show Cause concerning Chevron's two sealed declarations, with Ms. Neuman appearing in his stead. We have also received the Court's email of January 31 denying Donziger's counsel's request to appear telephonically at Monday's hearing. Given the short notice, Donziger's counsel of record are unable to travel to New York to appear at the hearing Monday morning, February 4, at 11 :00am. Accordingly, the Donziger defendants are submitting this matter on the pleadings.. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger.(jcs) (Entered: 02/04/2013)
02/06/2013	<u>778</u>	RESPONSE in Opposition re: <u>771</u> MOTION to Strike Document No. [152, 154–5, 154–6].. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 02/06/2013)
02/06/2013	<u>779</u>	DECLARATION of Larry Veselka in Opposition re: <u>771</u> MOTION to Strike Document No. [152, 154–5, 154–6].. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Doyle, Tyler) (Entered: 02/06/2013)
02/08/2013	<u>780</u>	ORDER: Defendants' applications for extensions of time within which to file papers in opposition to the plaintiffs motion for partial summary judgment is granted to the extent that any such papers shall be served and filed no later than March 8, 2013. They are denied in all other respects. (Responses due by 3/8/2013) (Signed by Judge Lewis A. Kaplan on 02/08/2013) (jcs) (Entered: 02/08/2013)
02/11/2013	<u>781</u>	MOTION to Compel Steven Donziger and the LAP Defendants to Answer the Interrogatories. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Mastro, Randy) (Entered: 02/11/2013)
02/12/2013	<u>782</u>	MOTION for Reconsideration re: <u>468</u> Memorandum & Opinion,,, – <i>PLAINTIFF CHEVRON CORPORATION'S NOTICE OF MOTION FOR PARTIAL</i>

		RECONSIDERATION OF THIS COURT'S MAY 14, 2012 ORDER AND TO REINSTATE CHEVRON'S UNJUST ENRICHMENT CLAIM (COUNT 6). Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 02/12/2013)
02/12/2013	<u>783</u>	MEMORANDUM OF LAW in Support / <i>CHEVRON CORPORATION'S MEMORANDUM OF LAW IN SUPPORT OF ITS MOTION FOR PARTIAL RECONSIDERATION OF THIS COURT'S MAY 14, 2012 ORDER AND TO REINSTATE CHEVRON'S UNJUST ENRICHMENT CLAIM (COUNT 6)</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/12/2013)
02/12/2013	<u>784</u>	DECLARATION of Randy M. Mastro in Support. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 3293, # <u>2</u> Exhibit 3294, # <u>3</u> Exhibit 3295, # <u>4</u> Exhibit 3296, # <u>5</u> Exhibit 3297, # <u>6</u> Exhibit 3298, # <u>7</u> Exhibit 3299, # <u>8</u> Exhibit 3300, # <u>9</u> Exhibit 3301, # <u>10</u> Exhibit 3302, # <u>11</u> Exhibit 3303, # <u>12</u> Exhibit 3304, # <u>13</u> Exhibit 3305)(Mastro, Randy) (Entered: 02/12/2013)
02/12/2013	<u>785</u>	DECLARATION of Adolfo Callejas Ribadeneira in Support. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, Part 1, # <u>12</u> Exhibit K, Part 2, # <u>13</u> Exhibit K, Part 3, # <u>14</u> Exhibit K, Part 4, # <u>15</u> Exhibit L, # <u>16</u> Exhibit M, # <u>17</u> Exhibit N, # <u>18</u> Exhibit O)(Mastro, Randy) (Entered: 02/12/2013)
02/12/2013	<u>786</u>	MOTION for Protective Order <i>Regarding Chevron's Deposition Notices for Alban, Simon and Saenz</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit C, # <u>5</u> Exhibit E)(Doyle, Tyler) (Entered: 02/12/2013)
02/13/2013	<u>787</u>	ORDER: The Court now grants Chevron's motion (Dkt. 562) in all respects. The LA Representative and Donziger, in responding to the Chevron RFP, shall produce all responsive documents that are in the possession, custody or control of their Ecuadorian attorneys and agents. Any such responsive documents as to which no work product or attorney-client privilege is claimed shall be produced on or before March 6, 2013, which is 21 days after the date of this order and is consistent with the schedule to which the parties stipulated in Dkt. 703. In the event work product, attorney-client privilege, or other privilege is claimed with respect to any such responsive documents the LAP Representatives and Danziger shall provide a privilege log on or before February 2, 2013, the date agreed upon in the parties' Third Discovery Stipulation, dated February 11, 2013. The Court intends to file an opinion setting forth its reasoning as promptly as possible. The LAP Representatives and Danziger shall advise the Court and the other parties, on or before February 20, 2013, whether they will comply in all respects with this order. (Signed by Judge Lewis A. Kaplan on 2/13/2013) (js) (Entered: 02/13/2013)
02/13/2013	<u>788</u>	ENDORSED LETTER: addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 2/11/2013 re: Counsel for Plaintiff request the Court's permission to file the enclosed Declaration of Andrea E. Neuman in Support of Chevron's Application by Order to Show Cause for an Order Protecting the Confidential Declarations of Doe 1 and Doe 2. Chevron believes that these developments underscore the need to ensure the protection of the identities of Doe 1 and Doe 2 and provide a further basis for such protection. We respectfully request Your Honor's permission to file this supplemental declaration in further support of Chevron's Order to Show Cause for Further Protection Regarding the Confidential Declarations of Doe 1 and Doe 2. ENDORSEMENT: Granted. So Ordered. (Signed by Judge Lewis A. Kaplan on 2/13/2013) (js) (Entered: 02/13/2013)
02/13/2013	<u>789</u>	THIRD DISCOVERY STIPULATION: In furtherance of the Parties' ongoing efforts to minimize or eliminate disputes arising out of written discovery in the above-referenced action, the Parties hereby stipulate to the following modification to the schedule set forth in the Second Discovery Stipulation so ordered by the Court on January 3, 2013. The Parties hereby move jointly for the Court's approval of this stipulation. Absent further relief from the Court, for all written discovery propounded before November 19, 2012, each Party will provide a privilege log consistent with any stipulation reached by the Parties concerning the logging of materials withheld on the basis of privilege or work product by February 22, 2013. Absent further relief from the Court, for all written discovery propounded after

		November 19, 2012, each Party will:complete its production of any nonobjectionable materials no later than February 22, 2013. All other provisions as set forth in this order. (Signed by Judge Lewis A. Kaplan on 2/13/2012) (js) (Entered: 02/13/2013)
02/13/2013	<u>790</u>	Letter addressed to Judge Lewis A. Kaplan from Richard Herz dated 1/30/2013 re: This Court properly concluded that the Amazon Watch subpoena, like nine other third party subpoenas Chevron issued, was untimely. Dkt. 738. Chevron's Motion for Partial Reconsideration (MFPR) should be denied. Chevron does not meet the standard for reconsideration. Document Filed By Amazon Watch.(ft) (Entered: 02/13/2013)
02/13/2013	<u>791</u>	Letter addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 2/7/2013 re: I write as counsel for Plaintiff Chevron Corporation ("Chevron") in response to counsel for the LAPs and Donziger Defendants' letter of yesterday requesting an extension of time to respond to Chevron's Motion for Partial Summary Judgment (Dkt. 744). Document filed by Chevron Corporation.(ft) (Entered: 02/13/2013)
02/13/2013	<u>792</u>	Letter addressed to Judge Lewis A. Kaplan from Craig Smyser and John Keker dated 2/6/2013 re: We write as counsel for Defendants Hugo Gerardo Camacho Naranjo ("Camacho"), Javier Piaguaje Payaguaje ("Piaguaje"), and Defendants Steven Donziger, the Law Offices of Steven R. Donziger, and Donziger & Associates, PLLC (collectively "Donziger") to jointly and respectfully request an adjournment of the deadline to respond to Chevron's Motion for Partial Summary Judgment (Dkt. 744) until May 1, 2013. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger.(ft) (Entered: 02/13/2013)
02/13/2013	<u>793</u>	Letter addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 2/6/2013 re: I write as counsel for Plaintiff Chevron Corporation ("Chevron") in response to counsel for the Stratus Defendants' letter of earlier today requesting an extension of time to respond to Chevron's Motion for Partial Summary Judgment (Dkt. 744). Document filed by Chevron Corporation.(ft) (Entered: 02/13/2013)
02/13/2013	<u>794</u>	Letter addressed to Judge Lewis A. Kaplan from Benjamin H. Green dated 2/6/2013 re: We represent defendants Stratus Consulting Inc., Douglas Beltman and Ann Maest (the "Stratus Defendants") in this action. We write to respectfully request an extension of time to respond to Chevron Corporation's ("Chevron")'s Motion for Partial Summary Judgment on All Claims, Counterclaims and Affirmative Defenses, and Summary Judgment On Defendants' Affirmative Defense Of Collateral Estoppel [Dkt. 744] (the "Summary Judgment Motion"). Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc. (ft) (Entered: 02/13/2013)
02/13/2013	<u>795</u>	Letter addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 1/31/2013 re: I write as Plaintiff Chevron's counsel in this action concerning Monday's hearing on Chevron's Motion by Order to Show Cause for an Order Further Protecting the Confidential Declarations of Doe 1 or Doe 1. Document filed by Chevron Corporation.(ft) (Entered: 02/13/2013)
02/13/2013	<u>796</u>	DECLARATION of Andrea E. Neuman in Support re: <u>760</u> Order to Show Cause, Set Deadlines,,,,,,,,,, <u>761</u> Order to Show Cause,,,,,,,,. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14)(Mastro, Randy) (Entered: 02/13/2013)
02/13/2013	<u>797</u>	MOTION to Appoint Expert / <i>CHEVRON CORPORATION'S MOTION TO APPOINT SPECIAL MASTER TO OVERSEE PARTY AND PARTY-RELATED DEPOSITIONS IN THIS MATTER</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Mastro, Randy) (Entered: 02/13/2013)
02/13/2013	<u>798</u>	MOTION for Discovery / <i>PLAINTIFF CHEVRON CORPORATION'S MOTION TO RESOLVE DISPUTED ISSUE OF ADMISSIBILITY OF DEPOSITIONS TAKEN IN PRIOR ACTIONS</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F,



		# <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J)(Mastro, Randy) (Entered: 02/13/2013)
02/14/2013	<u>799</u>	MOTION for F. Gerald Maples to Withdraw as Attorney of Record. Document filed by Javier Piaguaje Payaguaje.(Maples, F.) (Entered: 02/14/2013)
02/14/2013	<u>800</u>	ORDER: The Court will hold a Rule 16 conference on February 25, 2013 at 9:30 a.m. to consider a variety of matters bearing on discovery and the conduct of this litigation. Unless earlier disposed of, counsel shall be prepared to deal with Chevron's motion to resolve disputed issue of admissibility of prior depositions (Dkt. 798), Chevron's motion to appoint special master to oversee depositions (Dkt. 797), the LAP Representatives' motion for a protective order with respect to certain Chevron deposition notices (Dkt. 786), Chevron's motion to compel answers to interrogatories (Dkt. 781), and Chevron's motion to strike certain declarations or for other relief (Dkt. 771). Answering and any reply papers with respect to Dkt. 797 and 798 shall be served and filed on or before February 19, 2013 and February 21, respectively, as further set forth in this order. (Replies due by 2/21/2013)(Status Conference set for 2/25/2013 at 09:30 AM before Judge Lewis A. Kaplan.) (Signed by Judge Lewis A. Kaplan on 02/14/2013) (jcs) (Entered: 02/14/2013)
02/14/2013	<u>801</u>	STIPULATION AND ORDER: that the time for Chevron to move to dismiss Stratus's counterclaims [Dkt. 768] is hereby extended to and includes February 28, 2013. It is further stipulated and agreed that the deadline for Stratus's response to Chevron's motion is extended to and includes March 21, 2013, and the deadline for Chevron's reply is extended to and includes April 4, 2013. (Motions due by 2/28/2013, Responses due by 3/21/2013, Replies due by 4/4/2013.) (Signed by Judge Lewis A. Kaplan on 02/14/2013) (jcs) (Entered: 02/14/2013)
02/14/2013	<u>802</u>	SECOND PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material... (Signed by Judge Lewis A. Kaplan on 02/14/2013) (jcs) (Entered: 02/14/2013)
02/14/2013	<u>803</u>	RESPONSE in Opposition re: <u>781</u> MOTION to Compel Steven Donziger and the LAP Defendants to Answer the Interrogatories.. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Appendix of Exhibits, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6)(Doyle, Tyler) (Entered: 02/14/2013)
02/14/2013	<u>804</u>	RESPONSE in Opposition re: <u>742</u> MOTION to Strike Document No. [Nos. 731 and 732] <i>CHEVRON CORPORATION'S NOTICE OF MOTION TO STRIKE DEFENDANTS' AMENDED ANSWERS</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Doyle, Tyler) (Entered: 02/14/2013)
02/14/2013	<u>805</u>	DECLARATION of Jarod Stewart in Opposition re: <u>742</u> MOTION to Strike Document No. [Nos. 731 and 732] <i>CHEVRON CORPORATION'S NOTICE OF MOTION TO STRIKE DEFENDANTS' AMENDED ANSWERS</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Doyle, Tyler) (Entered: 02/14/2013)
02/14/2013	<u>806</u>	RESPONSE in Opposition re: <u>781</u> MOTION to Compel Steven Donziger and the LAP Defendants to Answer the Interrogatories.. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Werdegard, Matthew) (Entered: 02/14/2013)
02/14/2013	<u>807</u>	RESPONSE in Opposition re: <u>786</u> MOTION for Protective Order <i>Regarding Chevron's Deposition Notices for Alban, Simon and Saenz</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Mastro, Randy) (Entered: 02/14/2013)
02/15/2013	<u>808</u>	THIRD DISCOVERY STIPULATION: In furtherance of the Parties, ongoing efforts to minimize or eliminate disputes arising out of written discovery in the above-referenced action, the Parties hereby stipulate to the following modification

		to the schedule set forth in the Second Discovery Stipulation so ordered by the Court on January 3, 2013. The Parties hereby move jointly for the Court's approval of this stipulation. Absent further relief from the Court, for all written discovery propounded before November 19, 2012, each Party will: provide a privilege log consistent with any stipulation reached by the Parties concerning the logging of materials withheld on the basis of privilege or work product by February 22, 2013. Absent further relief from the Court, for all written discovery propounded after November 19, 2012, each Party will: complete its production of any non-objectionable materials no later than February 22, 2013. provide a privilege log consistent with any stipulation reached by the Parties concerning the logging of materials withheld on the basis of privilege or work product reflecting any materials withheld from such production by March 8, 2013. continue meet-and-confer efforts regarding any objections to such discovery through February 13, 2013; file any motion to compel concerning any objections to such discovery, other than challenges to assertions of privilege, no later than February 15, 2013 except that all Parties reserve the right to file further motions to compel with respect to any interrogatory response that is the subject of a motion to compel filed by February 15, 2013. produce any responsive materials as required by Court order resolving such motions within twenty-one (21) days of such an order; and provide a privilege log consistent with any stipulation reached by the Parties concerning the logging of materials withheld on the basis of privilege or work product reflecting any materials withheld from any Court-ordered production within fourteen (14) days of completing such production. Except as expressly set forth above, nothing herein is intended to alter any agreed-upon terms set forth in the prior Discovery Stipulation so ordered by the Court, or the overall cases schedule established by the June 25, 2012 Scheduling Order. (Signed by Judge Lewis A. Kaplan on 2/15/2013) (js) (Entered: 02/15/2013)
02/15/2013	<u>809</u>	ORDER: Accordingly, Chevron's motion to compel answers to the interrogatories (Dkt. 781) is granted in all respects. The interrogatories shall be answered in full on or before the later of (a) March 2, 2013, and (b) such other date as all parties may stipulate to provided any such stipulation is approved by the Court. (Signed by Judge Lewis A. Kaplan on 2/15/2013) (js) (Entered: 02/15/2013)
02/15/2013	<u>810</u>	MOTION to Compel The Stratus Defendants to Answer Interrogatories. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7) (Mastro, Randy) (Entered: 02/15/2013)
02/15/2013	<u>811</u>	MOTION to Compel Chevron Corporation to Produce Documents. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit Exhibit A to Motion to Compel RFP Responses, # <u>2</u> Exhibit Exhibit B to Motion to Compel RFP Responses, # <u>3</u> Exhibit Exhibit C to Motion to Compel RFP Responses, # <u>4</u> Exhibit Exhibit D to Motion to Compel RFP Responses, # <u>5</u> Exhibit Exhibit E to Motion to Compel RFP Responses, # <u>6</u> Exhibit Exhibit F to Motion to Compel RFP Responses, # <u>7</u> Exhibit Exhibit G to Motion to Compel RFP Responses, # <u>8</u> Exhibit Exhibit H to Motion to Compel RFP Responses, # <u>9</u> Exhibit Exhibit I to Motion to Compel RFP Responses, # <u>10</u> Exhibit Exhibit J to Motion to Compel RFP Responses, # <u>11</u> Exhibit Exhibit K to Motion to Compel RFP Responses, # <u>12</u> Exhibit Exhibit L to Motion to Compel RFP Responses, # <u>13</u> Exhibit Exhibit M to Motion to Compel RFP Responses) (Doyle, Tyler) (Entered: 02/15/2013)
02/15/2013	<u>812</u>	MOTION to Compel Chevron Corporation to Respond to Interrogatories and Requests for Admission. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 02/15/2013)
02/15/2013	<u>813</u>	MOTION to Compel Chevron Corporation to Produce Documents. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13) (Keker, John) (Entered: 02/15/2013)
02/15/2013	<u>814</u>	MOTION to Compel Defendant Steven Donziger to Answer Requests for Admission. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1,

		# <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Mastro, Randy) (Entered: 02/15/2013)
02/15/2013	<u>815</u>	MOTION to Compel Defendants Camacho and Payaguaje to Answer Requests for Admission. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Mastro, Randy) (Entered: 02/15/2013)
02/15/2013	<u>816</u>	MOTION to Stay / <i>CHEVRON CORPORATION'S MOTION TO STAY DISCOVERY PENDING RESOLUTION OF ITS MOTION TO DISMISS STRATUS CONSULTING, INC.'S COUNTERCLAIMS</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Mastro, Randy) (Entered: 02/15/2013)
02/15/2013	<u>817</u>	MOTION to Compel Chevron Corp. to produce documents and respond to interrogatories. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Green, Benjamin) (Entered: 02/15/2013)
02/19/2013	818	ORDER granting <u>799</u> Motion to Withdraw as Attorney. Attorney F. Gerald Maples terminated. (Signed by Judge Lewis A. Kaplan on 2/19/2013) (Kaplan, Lewis) (Entered: 02/19/2013)
02/19/2013	<u>819</u>	ORDER denying <u>728</u> Motion for Protective Order; granting <u>756</u> Motion for Reconsideration. Accordingly, Chevron's limited motion for reconsideration of so much of the order as granted the LAP Representatives motion for a protective order with respect to the non-party subpoena served on alleged co-conspirator AW (Dkt. 756) is granted. On reconsideration, so much of the LAP Representatives' renewed motion for a protective order as relates to the subpoena served on AW (Dkt. 728) is denied. The Court notes also that neither the parties to this case nor AW has objected to the AW subpoena on any ground other than untimeliness. In the event that there is motion practice in the issuing court with respect to the AW subpoena, this Court hereby indicates its willingness to accept transfer or remittal of the motion from the issuing court in accordance with the procedures described in Chevron Corp. v. Donziger, 2012 WL 6634680, at *2 n.18. (Signed by Judge Lewis A. Kaplan on 2/19/2013) (mro) Modified on 2/20/2013 (mro). (Entered: 02/19/2013)
02/19/2013	<u>820</u>	MEMORANDUM OF LAW in Opposition re: <u>798</u> MOTION for Discovery / <i>PLAINTIFF CHEVRON CORPORATION'S MOTION TO RESOLVE DISPUTED ISSUE OF ADMISSIBILITY OF DEPOSITIONS TAKEN IN PRIOR ACTIONS</i> .. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Krause, Stuart) (Entered: 02/19/2013)
02/19/2013	<u>821</u>	MEMORANDUM OF LAW in Opposition re: <u>797</u> MOTION to Appoint Expert / <i>CHEVRON CORPORATION'S MOTION TO APPOINT SPECIAL MASTER TO OVERSEE PARTY AND PARTY-RELATED DEPOSITIONS IN THIS MATTER</i> .. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Krause, Stuart) (Entered: 02/19/2013)
02/19/2013	<u>822</u>	JOINT MEMORANDUM OF LAW in Opposition re: <u>797</u> MOTION to Appoint Expert / <i>CHEVRON CORPORATION'S MOTION TO APPOINT SPECIAL MASTER TO OVERSEE PARTY AND PARTY-RELATED DEPOSITIONS IN THIS MATTER</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Little, Jan) (Entered: 02/19/2013)
02/19/2013	<u>823</u>	RESPONSE in Opposition re: <u>798</u> MOTION for Discovery / <i>PLAINTIFF CHEVRON CORPORATION'S MOTION TO RESOLVE DISPUTED ISSUE OF ADMISSIBILITY OF DEPOSITIONS TAKEN IN PRIOR ACTIONS</i> . Joint Response. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Doyle, Tyler) (Entered: 02/19/2013)
02/20/2013	<u>824</u>	Letter addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 2/8/13 re: Counsel writes to inform Your Honor of the Fourth Interim Award on Interim Measures entered yesterday in the Treaty Arbitration between Chevron

		Corporation and the Republic of Ecuador in the Hague, Permanent Court of Arbitration Case No. 2009–23. (mro) (Entered: 02/20/2013)
02/20/2013	<u>825</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Jan Nielsen Little dated 2/15/13 re: Counsel writes to request that the 2/25/13 be adjourned for one week. ENDORSEMENT: Adjourned to 3/4/13 at 9:30 a.m. ( Status Conference set for 3/4/2013 at 09:30 AM before Judge Lewis A. Kaplan.) (Signed by Judge Lewis A. Kaplan on 2/20/2013) (mro) (Entered: 02/20/2013)
02/20/2013	<u>826</u>	MEMORANDUM AND ORDER granting <u>742</u> Motion to Strike. These defendants were not permitted to amend as of course under Rule 15(a)(1). They obtained neither the plaintiff's written consent nor the Court's leave as required by Rule 15(a)(2). Rule 15(a)(3) does no more than regulate the timing of the service of required responses to adversaries' amended pleadings. Accordingly, the purported amended answers filed on January 22, 2013 were filed improperly and are nullities. Plaintiff's motion to strike them (Dkt. 742) is granted in all respects. Moreover, defendants' actions in filing the purported amended answers, without leave after the Court (1) made clear that leave to amend in this fashion would be denied and then (2) denied the defendants' subsequent motions for leave to amend, at least borders on being and may well be indefensible. The defendants had this Court's position on this question months ago. They are entitled to disagree with it and, if they suffer an adverse judgment, to raise the point on appeal. But they are not entitled to continue to relitigate it ad infinitum.. (Signed by Judge Lewis A. Kaplan on 2/20/2013) (mro) (Entered: 02/20/2013)
02/20/2013	<u>827</u>	RESPONSE in Opposition re: <u>812</u> MOTION to Compel Chevron Corporation to Respond to Interrogatories and Requests for Admission.. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/20/2013)
02/20/2013	<u>828</u>	RESPONSE in Opposition re: <u>813</u> MOTION to Compel Chevron Corporation to Produce Documents.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Mastro, Randy) (Entered: 02/20/2013)
02/20/2013	<u>829</u>	<b>FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU –</b> BRIEF re: <u>787</u> Order on Motion to Compel,,,, <i>DONZIGER DEFENDANTS' RESPONSE TO COURT ORDER OF FEBRUARY 13, 2013 RE ECUADORIAN DOCUMENTS</i> . Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Little, Jan) Modified on 2/21/2013 (ka). (Entered: 02/20/2013)
02/20/2013	<u>830</u>	<b>FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU –</b> BRIEF re: <u>787</u> Order on Motion to Compel,,,, <i>Response to February 13, 2013 Court Order regarding Ecuadorian Documents Dkt 787</i> . Document filed by Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Doyle, Tyler) Modified on 2/21/2013 (ka). (Entered: 02/20/2013)
02/20/2013	<u>831</u>	RESPONSE in Opposition re: <u>811</u> MOTION to Compel Chevron Corporation to Produce <i>Documents</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Mastro, Randy) (Entered: 02/20/2013)
02/20/2013	<u>832</u>	RESPONSE in Opposition re: <u>815</u> MOTION to Compel Defendants Camacho and Payaguaje to Answer Requests for Admission.. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Appendix of Exhibits, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4)(Doyle, Tyler) (Entered: 02/20/2013)
02/20/2013	<u>833</u>	RESPONSE in Opposition re: <u>814</u> MOTION to Compel Defendant Steven Donziger to Answer Requests for Admission.. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Werdegar, Matthew) (Entered: 02/20/2013)
02/20/2013	<u>834</u>	MEMORANDUM OF LAW in Opposition re: <u>810</u> MOTION to Compel The Stratus Defendants to Answer Interrogatories.. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Krause, Stuart) (Entered: 02/20/2013)



02/20/2013	<u>835</u>	RESPONSE in Opposition re: <u>817</u> MOTION to Compel Chevron Corp. to produce documents and respond to interrogatories.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Mastro, Randy) (Entered: 02/20/2013)
02/21/2013		<b>***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Jan Nielsen Little to RE-FILE Document <u>829</u> Brief. Use the event type Response(non-motion) found under the event list Other Answers. (ka)</b> (Entered: 02/21/2013)
02/21/2013		<b>***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Tyler Geoffrey Doyle to RE-FILE Document <u>830</u> Brief. Use the event type Response(non-motion) found under the event list Other Answers. (ka)</b> (Entered: 02/21/2013)
02/21/2013	<u>836</u>	RESPONSE re: <u>787</u> Order on Motion to Compel,,, <i>Corrected filing Response to February 13 2013 Court Order Dkt 787</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3)(Doyle, Tyler) (Entered: 02/21/2013)
02/21/2013	<u>837</u>	SECOND PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material... (Signed by Judge Lewis A. Kaplan on 2/21/2013) (mro) (Entered: 02/21/2013)
02/21/2013	<u>838</u>	MEMORANDUM OPINION #102920: On February 14, 2013, the Court granted Chevron's motion in significant part and entered a protective order barring defendants from disclosing either of the Doe declarations, or any identifying information about Doe I or Doe 2 that has been redacted from other declarations, to anyone other than counsel of record in this action except with prior leave granted on notice to plaintiff and upon such conditions as the Court may impose (the "February 14 order"). The foregoing sets forth the reasoning and amplifies the findings underlying the Court's February 14 order and constitutes findings of fact and conclusions of law for the purposes of this motion. (Signed by Judge Lewis A. Kaplan on 2/21/2013) (mro) Modified on 2/22/2013 (rsh). (Entered: 02/21/2013)
02/21/2013	<u>839</u>	TRANSCRIPT of Proceedings re: ARGUMENT held on 2/4/2013 before Judge Lewis A. Kaplan. Court Reporter/Transcriber: Paula Speer, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 3/18/2013. Redacted Transcript Deadline set for 3/28/2013. Release of Transcript Restriction set for 5/28/2013.(Rodriguez, Somari) (Entered: 02/21/2013)
02/21/2013	<u>840</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a ARGUMENT proceeding held on 2/4/13 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Rodriguez, Somari) (Entered: 02/21/2013)
02/21/2013	<u>841</u>	RESPONSE re: <u>787</u> Order on Motion to Compel,,, <i>CORRECTED FILING Donziger Defendants' Response to Court Order of February 13, 2013 Re Ecuadorian Documents</i> . Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Little, Jan) (Entered: 02/21/2013)
02/21/2013	<u>842</u>	SEALED DOCUMENT placed in vault.(mps) (Entered: 02/21/2013)
02/21/2013	<u>843</u>	MEMORANDUM OPINION: #102920 (CORRECTED): Plaintiff Chevron Corporation moved for a protective order preventing defendants from disclosing two witness declarations that have been filed under seal, from revealing or identifying information concerning the witnesses, except to counsel of record who have appeared in this action. The dispute that gave rise to the motion concerned principally whether the protection available under a previous protective order should be expanded to include, among other restrictions, the prohibition of disclosure of the witnesses' identities and statements to Ecuadorian counsel in the Lago Agrio litigation, among others. On February 14, 2013, the Court granted

		Chevron's motion in significant part and entered a protective order barring defendants from disclosing either of the Doe declarations, or any identifying information about Doe 1 or Doe 2 that has been redacted from other declarations, to anyone other than counsel of record in this action except with prior leave granted on notice to plaintiff and upon such conditions as the Court may impose. The foregoing sets forth the reasoning and amplifies the findings underlying the Court's February 14 order and constitutes findings of fact and conclusions of law for the purposes of this motion. (Signed by Judge Lewis A. Kaplan on 2/21/2013) (mro) Modified on 2/21/2013 (jab). (Entered: 02/21/2013)
02/21/2013	<u>844</u>	REPLY MEMORANDUM OF LAW in Support re: <u>797</u> MOTION to Appoint Expert / <i>CHEVRON CORPORATION'S MOTION TO APPOINT SPECIAL MASTER TO OVERSEE PARTY AND PARTY-RELATED DEPOSITIONS IN THIS MATTER.</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit E, # <u>2</u> Exhibit F, # <u>3</u> Exhibit G)(Mastro, Randy) (Entered: 02/21/2013)
02/21/2013	<u>845</u>	REPLY MEMORANDUM OF LAW in Support re: <u>798</u> MOTION for Discovery / <i>PLAINTIFF CHEVRON CORPORATION'S MOTION TO RESOLVE DISPUTED ISSUE OF ADMISSIBILITY OF DEPOSITIONS TAKEN IN PRIOR ACTIONS.</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/21/2013)
02/22/2013	<u>846</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 2/21/2013 re: Counsel for Chevron request that the Rule 16 conference, which was originally scheduled for 2/25/2013 and, late yesterday, was rescheduled at the request of Defendants' counsel for March 4, instead be held on March 5 or any other day that week. ENDORSEMENT: Counsel shall advise the Court of the nature of the commitment and of the availability of all of the pertinent counsel on 3/15/13. (Signed by Judge Lewis A. Kaplan on 2/22/2013) (tro) (Entered: 02/22/2013)
02/22/2013	<u>847</u>	STATUS REPORT. <i>of Non-Party Patton Boggs LLP's Electronic Efforts in Response to Chevron Corp.'s Modified Subpoena</i> Document filed by Patton Boggs LLP.(Leader, James) (Entered: 02/22/2013)
02/25/2013	<u>848</u>	MEMO ENDORSEMENT granting <u>810</u> Motion to Compel. ENDORSEMENT: The Stratus Defendants' objection to identifying at this time all documents in support of the answers to Chevron's interrogatories 1-5, 10, 12-17 and 19-24 is sustained. Chevron's motion to compel, as limited by Dkt. 810, at 3 n.7 and further limited by the modification set forth below in paragraph 2, is granted in all other respects. The interrogatories as modified shall be answered within 14 days of the date hereof. (Signed by Judge Lewis A. Kaplan on 2/25/2013) (mro) (Entered: 02/25/2013)
02/25/2013	<u>849</u>	Letter addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 1/28/13 re: Counsel for the plaintiff writes in response to the LAP Representatives' Notice of Recent Ruling Concerning Chevron Corporation's Motion to Compel defendants to produce documents, which was filed on 1/23, Dkt. 734. Document filed by Chevron Corporation.(mro) (Entered: 02/25/2013)
02/26/2013	<u>963</u>	INTERNET CITATION NOTE: Material from decision with Internet citation re: <u>843</u> Memorandum & Opinion. (Attachments: # <u>1</u> Internet Citation, # <u>2</u> Internet Citation, # <u>3</u> Internet Citation, # <u>4</u> Internet Citation, # <u>5</u> Internet Citation, # <u>6</u> Internet Citation, # <u>7</u> Internet Citation) (sj) (Entered: 04/02/2013)
02/27/2013	<u>850</u>	MOTION to Compel CONSTANTINE CANNON LLP and BROWNSTEIN HYATT FARBER SCHRECK, LLP to PRODUCE DOCUMENTS. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12)(Mastro, Randy) (Entered: 02/27/2013)
02/27/2013	<u>851</u>	ORDER: The memorandum endorsement (Dkt 848) is corrected to read as follows: "The Stratus Defendants' objection to identifying at this time all documents in support of the answers to Chevron's interrogatories 1-5, 10, 12-17 and 19-24 is sustained. Chevron's motion to compel, as limited by Dkt. 810, at 3 n.7 and as further modified by inserting into Interrogatory 10 the phrase "you contend" immediately following the words "the FORMER CONCESSION AREA," is

		granted in all other respects. The interrogatories as modified shall be answered within 14 days of the date hereof." (Signed by Judge Lewis A. Kaplan on 2/27/2013) (mro) (Entered: 02/27/2013)
02/27/2013	<u>852</u>	MOTION for Martin D Beier to Withdraw as Attorney for Stratus Defendants. Document filed by Stratus Consulting, Inc., Stratus Consulting, Inc..(Beier, Martin) (Entered: 02/27/2013)
02/27/2013	<u>853</u>	MOTION for Joe L. Silver to Withdraw as Attorney for Stratus Defendants. Document filed by Stratus Consulting, Inc., Stratus Consulting, Inc..(Beier, Martin) (Entered: 02/27/2013)
02/27/2013	<u>854</u>	MOTION to Compel LAP REPRESENTATIVES AND DONZIGER DEFENDANTS to PRODUCE DOCUMENTS AND RECORDINGS OF ALLEGED INTERACTIONS BETWEEN CHEVRON AND POTENTIAL WITNESSES. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12)(Mastro, Randy) (Entered: 02/27/2013)
02/28/2013	<u>855</u>	STIPULATION AND ORDER: IT IS STIPULATED by and between, Chevron, Donziger, and Messrs. Camacho and Piaguaje that to the extent there are documents subject to an unresolved claim of attorney-client privilege or work product protection by Donziger or Messrs. Camacho and Piaguaje, including but not limited to any documents determined by Magistrate Judge Francis to be subject to the crime fraud exception to the attorney client privilege (Salazar, Dkt. 227), Mr. Woods may produce such documents to Chevron in order to reduce disputes and avoid litigation, and Chevron shall not argue that such disclosure constitutes a subject matter waiver of any privilege or protection pursuant to Rule 502(d) of the Federal Rules of Evidence, and such disclosure shall not be deemed such a waiver; and IT IS FURTHER STIPULATED that any documents produced by Mr. Woods pursuant to this stipulation may be marked "Confidential" pursuant to the protective order in effect in this action (Dkt. 723), except that Chevron reserves its right to challenge any such designation pursuant to paragraphs 13 and 14 of that order; and IT IS FURTHER STIPULATED that Chevron may use any document produced pursuant to this stipulation for any purpose subject to the terms, conditions and restrictions of the protective order in this action and further subject to any objections to the relevance, authenticity or admissibility of any document, all of which objections are expressly reserved; and IT IS FURTHER STIPULATED that, except as explicitly stated herein, the parties to this stipulation do not waive any rights or protections afforded them by the Court's individual practices, applicable Local Civil Rules, the Federal Rules of Civil Procedure, the Federal Rules of Evidence, or other applicable authority, including, but not limited to, work product and attorney-client privileges, and this STIPULATION is without prejudice to any parties' rights thereunder. (Signed by Judge Lewis A. Kaplan on 2/28/2013) (mro) (Entered: 02/28/2013)
02/28/2013	<u>856</u>	STIPULATION: IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned parties, that (1) with respect to documents requested by the Stratus Defendants' Second Set of Requests for Production dated November 30, 2012 (the "Second RFPs"), Chevron will produce communications Chevron had with third parties concerning the Stratus Defendants for the time period August 15, 2012 through November 30, 2012 (the "Limited Counterclaim Discovery"); (2) the Stratus Defendants withdraw the Motion to Compel, without prejudice, as to Chevron's responses to all Second RFPs other than Nos. 63-65; (3) Chevron hereby confirms it has no additional responsive documents as to Second RFP No. 31; (4) Stratus' agreement to only seek Limited Counterclaim Discovery is without prejudice to its rights to seek broader discovery within the scope of its Second RFPs, or as otherwise permitted by the Court, following resolution of Chevron's motion to dismiss Stratus' counterclaims and without prejudice to Chevron's right to oppose such discovery (except that Chevron will not argue that any future motion to compel such discovery was untimely because made after February 15, 2012); (5) based on Stratus' agreement to only seek Limited Counterclaim Discovery pending disposition of Chevron's motion to dismiss, Chevron withdraws the Chevron Stay Motion and agrees to not move to stay counterclaim discovery before the Court rules on the motion to dismiss; (6) the Stratus Defendants

		withdraw their motion to compel responses to their First Set of Interrogatories Nos. 1–3, based on Chevron's representation that it will not withhold otherwise responsive information on the ground that it relates to a governmental investigation of Stratus; (7) Chevron agrees to supplement its responses to Interrogatories Nos. 6–9 to provide responsive information for the period August 15, 2012 through November 30, 2012 within a reasonable time after it completes its additional document production pursuant to point (1) above; (8); Chevron does not consent to any extension of the fact discovery period by entering into this stipulation and agreement; (9) the Stratus Defendants reserve all rights to seek an extension of the fact discovery period as necessary and (10) this Stipulation may be signed in counterparts and electronic/facsimile copies shall be considered originals for all purposes. (Signed by Judge Lewis A. Kaplan on 2/28/2013) (mro) (Entered: 02/28/2013)
02/28/2013	<u>858</u>	STATUS REPORT. <i>of Non–Party Patton Boggs LLP's Electronic Discovery Efforts in Response to Chevron Corporation's Modified Subpoena</i> Document filed by Patton Boggs LLP.(Leader, James) (Entered: 02/28/2013)
02/28/2013	<u>859</u>	MOTION for Protective Order <i>Regarding Chevron's Deposition Notices for Camacho and Piaguaje</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Doyle, Tyler) (Entered: 02/28/2013)
02/28/2013	<u>860</u>	MOTION to Dismiss / <i>CHEVRON CORPORATION'S NOTICE OF MOTION TO DISMISS AND/OR STRIKE STRATUS CONSULTING, INC.'S COUNTERCLAIMS, OR IN THE ALTERNATIVE, MOTION FOR SUMMARY JUDGMENT</i> . Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 02/28/2013)
02/28/2013	<u>861</u>	MEMORANDUM OF LAW in Support re: <u>860</u> MOTION to Dismiss / <i>CHEVRON CORPORATION'S NOTICE OF MOTION TO DISMISS AND/OR STRIKE STRATUS CONSULTING, INC.'S COUNTERCLAIMS, OR IN THE ALTERNATIVE, MOTION FOR SUMMARY JUDGMENT</i> .. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/28/2013)
02/28/2013	<u>862</u>	RULE 56.1 STATEMENT. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 02/28/2013)
02/28/2013	<u>863</u>	DECLARATION of Randy M. Mastro in Support re: <u>860</u> MOTION to Dismiss / <i>CHEVRON CORPORATION'S NOTICE OF MOTION TO DISMISS AND/OR STRIKE STRATUS CONSULTING, INC.'S COUNTERCLAIMS, OR IN THE ALTERNATIVE, MOTION FOR SUMMARY JUDGMENT</i> .. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 3401, # <u>2</u> Exhibit 3402, # <u>3</u> Exhibit 3403, # <u>4</u> Exhibit 3404, # <u>5</u> Exhibit 3405, # <u>6</u> Exhibit 3406, # <u>7</u> Exhibit 3407, # <u>8</u> Exhibit 3408, # <u>9</u> Exhibit 3409, # <u>10</u> Exhibit 3410, # <u>11</u> Exhibit 3411, # <u>12</u> Exhibit 3412, # <u>13</u> Exhibit 3413, # <u>14</u> Exhibit 3414, # <u>15</u> Exhibit 3415, # <u>16</u> Exhibit 3416, # <u>17</u> Exhibit 3417, # <u>18</u> Exhibit 3418, # <u>19</u> Exhibit 3419, # <u>20</u> Exhibit 3420, # <u>21</u> Exhibit 3421, # <u>22</u> Exhibit 3422, # <u>23</u> Exhibit 3423, # <u>24</u> Exhibit 3424, # <u>25</u> Exhibit 3425, # <u>26</u> Exhibit 3426, # <u>27</u> Exhibit 3427, # <u>28</u> Exhibit 3428, # <u>29</u> Exhibit 3429, # <u>30</u> Exhibit 3430, # <u>31</u> Exhibit 3431, # <u>32</u> Exhibit 3432, # <u>33</u> Exhibit 3433, # <u>34</u> Exhibit 3434, # <u>35</u> Exhibit 3435, # <u>36</u> Exhibit 3436, # <u>37</u> Exhibit 3437, # <u>38</u> Exhibit 3438, # <u>39</u> Exhibit 3439)(Mastro, Randy) (Entered: 02/28/2013)
02/28/2013	<u>864</u>	MEMO ENDORSEMENT withdrawing in part and denying all all other respects <u>817</u> THE STRATUS PARTIES' MOTION TO COMPEL CHEVRON CORPORATION TO PRODUCE DOCUMENTS AND RESPOND TO INTERROGATORIES. ENDORSEMENT: 1. RFPs 63–65 of Stratus' second set of such requests seek information going to the questions whether and why there is or has been environmental pollution in the relevant area of Ecuador. Chevron quite properly points out, although more decorously, that the Court several times has ruled this subject out of bounds because this case is not a vehicle for retrying the merits of the pollution claims that were the subject of the Ecuadorian case. And while Stratus has moved to compel production of these materials, its motion has not even addressed the Court's prior rulings, let alone attempted to defend the relevance or propriety of these requests. 2. This motion, except insofar as it relates



		to Stratus' RFPs 63–65, was withdrawn by Stipulation dated February 26, 2013. Accordingly, this motion is denied in all respects. The denial is without prejudice to a renewed motion addressed solely to Interrogatories 1 through 3 in the event Chevron has withheld responsive information on the basis of the stated objections. Should it be renewed, the parties should address the legal merits of the objection. (Signed by Judge Lewis A. Kaplan on 2/28/2013) (mro) (Entered: 03/01/2013)
03/01/2013	<u>865</u>	MEMO ENDORSEMENT granting in part and denying in part <u>797</u> CHEVRON CORPORATION'S MOTION TO APPOINT SPECIAL MASTER TO OVERSEE PARTY AND PARTY-RELATED DEPOSITIONS IN THIS MATTER. ENDORSEMENT: Chevron moves for the appointment of a special master to oversee the depositions of parties and party-related witnesses and proposes that the special master's fees be borne 50 percent by Chevron and 50 percent by defendants. The circumstances here are extraordinary. The appointment of one or more special masters to oversee and preside at some or all of the least 42 depositions that the parties propose to take in this case between now and May 31 is essential if the matter is to proceed fairly and properly. Among the considerations that have led the Court to this conclusion are listed herein. The Court does not now determine which depositions will require direct supervision by a special master and which can proceed with more indirect supervision or even in the usual manner. That will await more information. Finally, defendants assert that they cannot afford the costs that will be incurred if a special master is appointed. Dkt. 822, at 3. This contention is not persuasive. First, a review of the docket sheets in the various Section 1782 proceedings, the Count 9 action, and this case suggests that they have access to very substantial resources. Indeed, it is a matter of public record that defendants have been raising funds from litigation funders for years. Second, defendants have made no showing that they are unable to pay the costs associated with the special masters' services. Nonetheless, the Court is mindful of the expense that the special masters may entail and has no intention of requiring that they preside over depositions where that is not necessary. The extent to which depositions go forward trouble free could well result in an even more limited use of the special masters than originally might seem appropriate. Accordingly, the motion is granted to the extent that the Court will appoint at least two special masters in order to have the resources necessary to handle the depositions in a manner that respects those individuals' other professional commitments and the inevitable scheduling issues arising from the parties and the witnesses. The fees and other appropriate expenses will be advanced 50 percent by Chevron and 50 percent jointly and severally by the defendants other than the Stratus Defendants. Upon conclusion of the work of the special masters, they shall recommend an allocation of costs to the parties pursuant to Rule 53(g)(3). The entry of the appointing order will take place after the proposed special masters file the affidavits required by Rule 53(b)(3)(A). (Signed by Judge Lewis A. Kaplan on 3/1/2013) (mro) (Entered: 03/01/2013)
03/01/2013	<u>866</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 3/1/13 re: Counsel seeks a conference with the court regarding a motion for sanctions, including contempt sanctions, against Donziger defendants and the LAP Representatives. ENDORSEMENT: The matter will be discussed on 3/5/13, time permitting. (Signed by Judge Lewis A. Kaplan on 3/1/2013) (mro) Modified on 3/4/2013 (mro). (Entered: 03/01/2013)
03/01/2013	<u>867</u>	STIPULATION AND ORDER: THEREFORE IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, that: 1. Stratus agrees to the production by SDof all documents or communications, or portions thereof, in the possession, custody, or control of SDcreated by or sent between or among Stratus and SDduring the period February 18, 2010–May 18, 2010, concerning: (a) statements made by Joe Silver before the U.S. District Court for the District of Colorado during an April 27, 2010 hearing in the Colorado 1782 action reflected in the hearing transcript at 40:10–16; 58:5–59:24; 69:8–21; (b) the factual basis for the statements reflected in (a); (c) any diligence, investigation, interviews or meetings concerning or referred to in the above cited portions of the April 27, 2010 hearing transcript and any subsequent investigations or diligence including that referred to in the May 18, 2010 "Status Report"; (d) Stratus's preparation of materials that may have been provided to Richard Stalin Cabrera Vega ("Cabrera"); and (e) any direct contact between Stratus and Cabrera (the "Produced Documents"). SDagrees to immediate production of the Produced Documents upon

		<p>execution of this Stipulation. 2. Chevron's agreement to the time limitation reflected in paragraph 1 is contingent on Stratus and Ss representation, confirmed by the signatures below, that there are no documents responsive to the Subpoena that pre-date February 18, 2010. 3. The Produced Documents shall be designated as confidential under the operative protective order entered in this litigation (Dkt. 723), and Chevron reserves its right to challenge the designation of any such documents as confidential under paragraphs 13 and 14 of that protective order. 4. The disclosure of the Produced Documents shall be deemed a disclosure pursuant to Federal Rule of Evidence 502 (d) ("FRE 502(d)"), and shall to the full extent provided by FRE 502(d) effect only a limited waiver of applicable privileges to the Produced Documents or communications occurring during the period February 18, 2010–May 18, 2010 between or among Stratus and SD regarding the topics reflected in paragraph 1. 5. Pursuant to FRE 502(d), no party will assert in this action or any other litigation that the act of production of the Produced Documents creates a broader or general waiver of any Privileges beyond the limited waiver outlined in this Stipulation. 6. Nothing in this Stipulation prevents or limits in any way Chevron's ability to argue that events other than the act of production of the Produced Documents under this Stipulation have resulted in a waiver of the Privileges, or support application of the crime–fraud exception to the Privileges. (Signed by Judge Lewis A. Kaplan on 3/1/2013) (mro) Modified on 3/4/2013 (mro). (Entered: 03/01/2013)</p>
03/01/2013	<u>868</u>	<p>DECLARATION of Stuart A. Krause <i>re: 782 MOTION for Reconsideration re; 468 Memorandum &amp; Opinion,, – PLAINTIFF CHEVRON CORPORATION'S NOTICE OF MOTION FOR PARTIAL RECONSIDERATION OF THIS COURT'S MAY 14, 2012 ORDER AND TO REINSTATE CHEVRON'S UNJUST ENRICHMENT CLAIM (COU NT 6)</i>. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Krause, Stuart) (Entered: 03/01/2013)</p>
03/01/2013	<u>869</u>	<p>RESPONSE to Motion <i>re: 782 MOTION for Reconsideration re; 468 Memorandum &amp; Opinion,, – PLAINTIFF CHEVRON CORPORATION'S NOTICE OF MOTION FOR PARTIAL RECONSIDERATION OF THIS COURT'S MAY 14, 2012 ORDER AND TO REINSTATE CHEVRON'S UNJUST ENRICHMENT CLAIM (COU NT 6)</i>. Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Krause, Stuart) (Entered: 03/01/2013)</p>
03/01/2013	<u>870</u>	<p>RESPONSE in Opposition <i>re: 854 MOTION to Compel LAP REPRESENTATIVES AND DONZIGER DEFENDANTS to PRODUCE DOCUMENTS AND RECORDINGS OF ALLEGED INTERACTIONS BETWEEN CHEVRON AND POTENTIAL WITNESSES..</i> Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 03/01/2013)</p>
03/01/2013	<u>871</u>	<p>RESPONSE in Opposition <i>re: 854 MOTION to Compel LAP REPRESENTATIVES AND DONZIGER DEFENDANTS to PRODUCE DOCUMENTS AND RECORDINGS OF ALLEGED INTERACTIONS BETWEEN CHEVRON AND POTENTIAL WITNESSES..</i> Document filed by Steven Donziger, Donziger &amp; Associates, PLLC, The Law Offices of Steven R. Donziger. (Keker, John) (Entered: 03/01/2013)</p>
03/01/2013	<u>872</u>	<p>NOTICE of Withdrawal of Motion to Stay <i>re: 816 MOTION to Stay / CHEVRON CORPORATION'S MOTION TO STAY DISCOVERY PENDING RESOLUTION OF ITS MOTION TO DISMISS STRATUS CONSULTING, INC.'S COUNTERCLAIMS..</i> Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/01/2013)</p>
03/01/2013	<u>873</u>	<p>RESPONSE in Opposition <i>to Chevron Corporation's Motion for Partial Reconsideration of this Court's May 14, 2012 Order and to reinstate Chevron's Unjust Enrichment Claim (Count 6)</i>. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit A)(Doyle, Tyler) (Entered: 03/01/2013)</p>
03/01/2013	<u>874</u>	<p>RESPONSE in Opposition <i>re: 850 MOTION to Compel CONSTANTINE CANNON LLP and BROWNSTEIN HYATT FARBER SCHRECK, LLP to PRODUCE DOCUMENTS..</i> Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger &amp; Associates, PLLC, Javier Piaguaje Payaguaje, The</p>

		Law Offices of Steven R. Donziger. (Doyle, Tyler) (Entered: 03/01/2013)
03/01/2013	<u>875</u>	NOTICE of Supplemental Notice of Intent to Rely on Foreign Law re: <u>315</u> Notice (Other). Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 03/01/2013)
03/01/2013	<u>876</u>	RESPONSE to Motion <u>782</u> ( <i>Motion for Reconsideration re: 468 Memorandum &amp; Opinion filed by Chevron Corporation</i> ). Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Keker, John) (Entered: 03/01/2013)
03/04/2013	<u>877</u>	RESPONSE in Opposition re: <u>852</u> MOTION for Martin D Beier to Withdraw as Attorney for Stratus Defendants., <u>853</u> MOTION for Joe L. Silver to Withdraw as Attorney for Stratus Defendants. PLAINTIFF CHEVRON CORPORATION'S OPPOSITION TO VERIFIED MOTIONS OF ATTORNEYS JOE L. SILVER AND MARTIN D. BEIER TO WITHDRAW AS COUNSEL FOR STRATUS DEFENDANTS. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A)(Mastro, Randy) (Entered: 03/04/2013)
03/04/2013	<u>878</u>	MEMO ENDORSEMENT denying <u>583</u> CHEVRON CORPORATION'S NOTICE OF MOTION FOR SUMMARY JUDGMENT ON ITS EIGHTH CLAIM FOR RELIEF (VIOLATION OF NEW YORK JUDICIARY LAW § 487). ENDORSEMENT: Denied. So ordered. (Signed by Judge Lewis A. Kaplan on 3/4/2013) (mro) Modified on 3/5/2013 (mro). (Entered: 03/04/2013)
03/04/2013	<u>879</u>	Letter addressed to Judge Lewis A. Kaplan from John V. McDermott dated 3/1/13 re: Counsel states that on Wednesday, February 27, 2013, Plaintiff Chevron Corporation filed a motion seeking to compel our firm, Brownstein Hyatt Farber Schreck, LLP ("Brownstein"), to produce documents responsive to a subpoena Chevron served on Brownstein in December. Brownstein is not a party to this litigation and is not located in New York. Brownstein has not filed an appearance in this matter and does not receive ECF notices for this case. We understand that, pursuant to your Individual Practices, Brownstein's response to Chevron's motion would be due two business days following the filing of the motion—that is, today, Friday, March 1, 2013. Given this time—line, Brownstein is unable to make an appearance in this matter and file a formal response to the motion. (mro) (Entered: 03/04/2013)
03/04/2013	<u>880</u>	MEMO ENDORSEMENT denying as moot <u>786</u> MOTION for Protective Order Regarding Chevron's Deposition Notices for Alban, Simon and Saenz filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo. ENDORSEMENT: In view of the fact that the dates for the depositions have passed, the motion for a protective order is denied as moot although, of course, the questions whether the failure to appear was appropriate and, in any case, whether a protective order would be appropriate in the event the depositions are noticed again have not been decided. (Signed by Judge Lewis A. Kaplan on 3/4/2013) (mro) Modified on 3/5/2013 (mro). (Entered: 03/04/2013)
03/04/2013	<u>881</u>	MEMORANDUM OF LAW in Opposition re: <u>859</u> MOTION for Protective Order Regarding Chevron's Deposition Notices for Camacho and Piaguaje.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Mastro, Randy) (Entered: 03/04/2013)
03/05/2013		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Status Conference held on 3/5/2013. (js) (Entered: 03/14/2013)
03/07/2013	<u>882</u>	RULE 16 ORDER: The Court held a Rule 16 conference with counsel on March 5, 2013. It hereby issues the following order, pursuant to Fed. R. Civ. P. 16(d), reciting the action taken. The Court directed the parties to confer and to report by March 12, 2013 any agreement of all parties as to the number of depositions for each side, subject to court approval if the number proposed exceeds ten. Failing agreement, the parties shall submit their respective positions with respect to the number of depositions per side, as well as justification for any depositions beyond 10 per side and a definitive list of who the proposed deponents are. It was agreed, and the Court now directs, that all depositions of foreign resident persons or entities who do not come to the United States and submit to depositions here shall

		<p>be conducted in United States Embassies in their countries of residence or in a country in South or Central America reasonably close to their countries of residence. The LAP Representatives agreed to the foregoing with respect to Ecuadorian witnesses with the reservation that those depositions should take place if at all possible at the United States embassy in Quito. The Court referred to the pending dispute as to whether any depositions should be taken within the geographic boundaries of Ecuador and granted plaintiff until March 11, 2013 to make any additional submission on that point, with the opposing side's response to be filed no later than March 18, 2013. Following those submissions, the Court will determine whether depositions of Ecuadorian witnesses shall take place at a United States Embassy in a country other than Ecuador. In the case of foreign witnesses whose depositions are taken by plaintiff outside of the home country of a witness, Chevron will reimburse the witnesses for the reasonable transportation, subsistence, lodging, and incidental expenses incurred by them with respect to the travel from Quito, Ecuador to the deposition location. Chevron, the LAP Representatives, and the Stratus Defendants agree, subject to Court approval, that no foreign witness who fails to submit to a deposition abroad in a United States Embassy as outlined in paragraph 2 shall be permitted to testify at trial or other proceedings. The Donziger Defendants requested that there be a procedure for seeking leave of the court for exceptions to this rule to permit such a witness to testify after the witness submits to deposition in the United States prior to trial. The Court directed the parties to confer and report by March 12, 2013 any agreement as to such a procedure or, in the absence of any agreement, the parties' respective positions and whether any party feels that further briefing or evidentiary submissions are necessary. Chevron's proposed motion is to be filed no later than March 12, 2013. Responsive papers shall be filed no later than March 26, 2013. Reply papers shall be filed no later than April 2, 2013. The moving and answering briefs are not to exceed 25 pages and the reply brief is not to exceed 15 pages. The non-moving parties' time to file papers in opposition to Chevron's pending motion for partial summary judgment is extended to and including March 18, 2013, defendants all having agreed that there will be no further extension after that date. Counsel for Patton Boggs reported that Patton Boggs has produced all responsive hard copy documents and intends to produce a privilege log with respect to those documents by March 15, 2013, both as directed by the Court's February 4, 2013 order. The Court suggested to counsel for Patton Boggs that, upon issuance of the Court's decision of the remaining issues with respect to the subpoena, Patton Boggs will be obliged to complete production much more quickly than it had reported it expected it would. (Signed by Judge Lewis A. Kaplan on 3/7/2013) (mro) (Entered: 03/07/2013)</p>
03/07/2013		Set/Reset Deadlines: Motions due by 3/12/2013. Responses due by 3/26/2013 Replies due by 4/2/2013. (mro) (Entered: 03/07/2013)
03/11/2013	<u>883</u>	REPLY to Response to Motion re: <u>852</u> MOTION for Martin D Beier to Withdraw as Attorney for Stratus Defendants., <u>853</u> MOTION for Joe L. Silver to Withdraw as Attorney for Stratus Defendants.. Document filed by Stratus Consulting, Inc.. (Beier, Martin) (Entered: 03/11/2013)
03/11/2013	<u>884</u>	MEMORANDUM OF LAW re: <u>882</u> Order....., <i>PLAINTIFF CHEVRON CORPORATION'S SUPPLEMENTAL BRIEF ON SECURITY RISKS IN ECUADOR</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8)(Mastro, Randy) (Entered: 03/11/2013)
03/11/2013	<u>885</u>	REPLY MEMORANDUM OF LAW in Support – <i>Chevron Corporation's Reply Memorandum of Law in Further Support of Its Motion for Partial Reconsideration of This Court's May 14, 2012 Order and to Reinstate Chevron's Unjust Enrichment Claim (Count 6)</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/11/2013)
03/11/2013	<u>886</u>	DECLARATION of Randy M. Mastro in Support. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 3306, # <u>2</u> Exhibit 3307, # <u>3</u> Exhibit 3308, # <u>4</u> Exhibit 3309, # <u>5</u> Exhibit 3310)(Mastro, Randy) (Entered: 03/11/2013)
03/11/2013	<u>887</u>	SEALED DOCUMENT placed in vault.(mps) (Entered: 03/12/2013)



03/12/2013	<u>888</u>	ORDER granting <u>852</u> Motion to Withdraw as Attorney; granting <u>853</u> Motion to Withdraw as Attorney. The motions of Martin D. Beier and Joe L. Silber to withdraw as attorneys for the Stratus Defendants [DI 852, DI 853] are granted, provided, however, that the Court retains personal jurisdiction over both attorneys. See Logicom Inclusive, Inc. v. W.P. Stewart & Co., No. 04 Civ. 604 (CSH), 2008 WL 1777855 (S.D.N.Y. Apr. 16, 2008). (Signed by Judge Lewis A. Kaplan on 3/12/2013) (mro) (Entered: 03/12/2013)
03/12/2013	<u>889</u>	MEMO ENDORSEMENT denying <u>782</u> PLAINTIFF CHEVRON CORPORATION'S NOTICE OF MOTION FOR PARTIAL RECONSIDERATION OF THIS COURT'S MAY 14, 2012 ORDER AND TO REINSTATE CHEVRON'S UNJUST ENRICHMENT CLAIM (COUNT 6). ENDORSEMENT: The only enrichment of the LAP Representatives—as opposed to restraint of Chevron or subsidiaries' assets that may or may not be released—said to have occurred to date pertains to \$358.92 in a TexPet account at Banco Pichincha. Chevron's own witness claims only that "the totality of those funds, in the sum of \$358.92, have been segregated by Banco Pichincha into a separate account, not controlled by TexPet, for the benefit of the LAPs" (Callejas Decl. paragraph 12)—not that the money has been paid to or placed under the control of the LAPs. Chevron's reliance on a statement made on a radio show by one of the LAPs' Ecuadorian lawyers to the effect that this is the first \$350 that Chevron has paid the LAPs just does not cut it in the face of the paper record. In any event, everyone in this \$18–19 billion case has more important things to do than to deal with a claim that was dismissed previously as premature simply because \$358.92 now may—or may not—have changed hands. De minimis non curat lex. Chevron's motion (DI 782) is denied without prejudice on the same basis that the unjust enrichment claim previously was dismissed. If, as and when there is a substantial basis for a claim of unjust enrichment, Chevron is at liberty to move, under Rule 54, to reinstate the previously dismissed claim. (Signed by Judge Lewis A. Kaplan on 3/12/2013) (mro) Modified on 3/13/2013 (mro). Modified on 3/13/2013 (mro). (Entered: 03/12/2013)
03/12/2013	<u>890</u>	STATUS REPORT. <i>Joint Rule 16 Report of Defendants Hugo Camacho and Javier Piaguaje and the Donziger Defendants pursuant to Rule 16 Order [Dkt. 882]</i> Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger.(Keker, John) (Entered: 03/12/2013)
03/12/2013	<u>891</u>	STATUS REPORT. ( <i>Regarding Depositions pursuant to the Court's Rule 16 Order</i> ) Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc..(Krause, Stuart) (Entered: 03/12/2013)
03/12/2013	<u>892</u>	<b>FILING ERROR – DEFICIENT DOCKET ENTRY – SEE DOC. #900</b> STATUS REPORT. <i>CHEVRON CORPORATION'S RULE 16 REPORT</i> Document filed by Chevron Corporation.(Mastro, Randy) Modified on 3/13/2013 (kco). (Entered: 03/12/2013)
03/12/2013	<u>893</u>	MOTION for Sanctions / <i>PLAINTIFF CHEVRON CORPORATION'S NOTICE OF MOTION TO SANCTION AND HOLD THE DONZIGER DEFENDANTS AND LAP REPRESENTATIVES IN CONTEMPT OF COURT FOR DISOBEYING THE COURT'S DISCOVERY ORDERS.</i> Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 03/12/2013)
03/12/2013	<u>894</u>	MEMORANDUM OF LAW in Support re: <u>893</u> MOTION for Sanctions / <i>PLAINTIFF CHEVRON CORPORATION'S NOTICE OF MOTION TO SANCTION AND HOLD THE DONZIGER DEFENDANTS AND LAP REPRESENTATIVES IN CONTEMPT OF COURT FOR DISOBEYING THE COURT'S DISCOVERY ORDERS..</i> Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/12/2013)
03/12/2013	<u>895</u>	DECLARATION of Anne Champion in Support re: <u>893</u> MOTION for Sanctions / <i>PLAINTIFF CHEVRON CORPORATION'S NOTICE OF MOTION TO SANCTION AND HOLD THE DONZIGER DEFENDANTS AND LAP REPRESENTATIVES IN CONTEMPT OF COURT FOR DISOBEYING THE COURT'S DISCOVERY ORDERS..</i> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 3501 to 3510, # <u>2</u> Exhibit 3511 to 3515, # <u>3</u> Exhibit 3516 to 3520, # <u>4</u> Exhibit 3521 to 3525, # <u>5</u> Exhibit 3526 to 3530, # <u>6</u> Exhibit 3531 to 3536, # <u>7</u> Exhibit A, # <u>8</u> Exhibit B)(Mastro, Randy) (Entered: 03/12/2013)

03/13/2013	<u>896</u>	AFFIDAVIT of Theodore H. Katz. (mro) (Entered: 03/13/2013)
03/13/2013	<u>897</u>	AFFIDAVIT of Max Gitter. (mro) (Entered: 03/13/2013)
03/13/2013	<u>898</u>	ORDER: The Court on March 1, 2013 granted Chevron's motion for the appointment of a special master to the extent that it ruled that it would appoint at least two special masters in order to handle depositions in this matter. Affidavits of Messrs. Max Gitter and Theodore H. Katz, whom the Court is considering for appointment, are being filed today pursuant to Fed. R. Civ. P. 53(b)(3)(A). Any objection to the appointment of either shall be made by letter to the undersigned no later than March 18, 2013 and shall not exceed five pages absent leave of the Court. (Signed by Judge Lewis A. Kaplan on 3/13/2013) (mro) (Entered: 03/13/2013)
03/13/2013	<u>899</u>	Letter addressed to Judge Lewis A. Kaplan from Craig Smyer and Larry R. Veselka dated 3/8/13 re: Counsel writes to respond to the two March 7, 2013 letters Mr. Mastro directed to the Court. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(mro) (Entered: 03/13/2013)
03/13/2013	<u>900</u>	STATUS REPORT. <i>CHEVRON CORPORATION'S CORRECTED RULE 16 REPORT</i> Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 03/13/2013)
03/13/2013	<u>901</u>	MEMO ENDORSEMENT granting in part and denying in part <u>812</u> DEFENDANTS HUGO GERARDO CAMACHO NARANJO AND JAVIER PIAGUAJE PAYAGUAJE'S MOTION TO COMPEL PLAINTIFF CHEVRON CORPORATION'S RESPONSES TO INTERROGATORIES AND REQUESTS FOR ADMISSION. ENDORSEMENT: Accordingly, the motion to compel [Dkt. 812] is granted to the extent that Chevron shall respond to Interrogatory No. 10 and produce the documents requested by RFP Nos. 262 and 263 as modified. It is denied in all other respects; as further set forth herein. (Signed by Judge Lewis A. Kaplan on 3/13/2013) (mro) (Entered: 03/13/2013)
03/13/2013	<u>902</u>	MEMO ENDORSEMENT denying <u>813</u> DEFENDANTS STEVEN DONZIGER, THE LAW OFFICES OF STEVEN R. DONZIGER AND DONZIGER & ASSOCIATES, PLLC'S MOTION TO COMPEL PLAINTIFF CHEVRON CORPORATION TO PRODUCE DOCUMENTS. ENDORSEMENT: Chevron's objection is sustained. Moreover, the representation in movants' motion that "Donziger previously propounded similar requests...but sought documents up to February 14, 2011," citing Instruction 9 to his interrogatories (DI 813, at 1 & n.1) and its reiteration later on "no parameters exist governing documents created or obtain[ed] after February 14, 2011 because Donziger has never before requested such documents" (id. at 3 n.5) both are highly misleading in light of the fact that many of Donziger's requests sought documents "through the present" and many more sought documents "unlimited as to time." There is no valid reason to upset the agreements the parties previously reached as to the time period for discovery or to relieve Donziger, at this late date, of his choices to limit the periods for which he sought discovery. Requests 224–226 seeks, in movants' words, "documents in support of [Chevron's contentions (if it makes such contentions), that drinking water, ground water, or...the soil in the Former Concession Area is not contaminated as a result of Texpet's oil exploration activities." DI 813 at 3–4. They go on to say that Chevron need not produce pursuant to these requests if "it does not intend to make [such] contentions... as part of its affirmative case at trial." Id. at 4. This Court repeatedly has ruled that this case will not retry the claims made in the Lago Agrio case. In addition, Chevron has stated, in response to this motion, that it "does not intend to relitigate the underlying merits of the Lago Agrio litigation in this proceeding, and information that relates solely to the underlying merits is not relevant." (DI 828, at 3) Accordingly, this issue is moot. Requests 325–328 seek documents, which movants claim are relevant to Donziger's counterclaims, relating to certain all allegedly false or misleading statements by Chevron with respect to health risks, environmental impacts, remediation, and the like. Donziger's counterclaim asserts that he has been injured by such statements. A motion to dismiss Donziger's counterclaims now is subjudice. Accordingly, this aspect of the motion to compel will be denied without prejudice to renewal after disposition of that motion. The motion [DI 813] is denied in all respects save that the denial is without prejudice to renewal as to Requests 325–328 after disposition

		of the pending motion to dismiss Donziger's counterclaims. (Signed by Judge Lewis A. Kaplan on 3/13/2013) (mro) Modified on 3/14/2013 (mro). (Entered: 03/13/2013)
03/13/2013	<u>903</u>	STIPULATION: IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties that the Stratus Defendants' time to answer Chevron's interrogatories, as modified by the Court's Orders dated February 25, 2013 [Dkt. 848] and February 27, 2013 [Dkt. 851], is extended to and including March 21, 2013. ( Answer to Interrogatories due by 3/21/2013.) (Signed by Judge Lewis A. Kaplan on 3/13/2013) (mro) (Entered: 03/13/2013)
03/13/2013	<u>904</u>	MEMO ENDORSEMENT granting in part and denying in part <u>811</u> DEFENDANTS HUGO GERARDO CAMACHO NARANJO AND JAVIER PIAGUAJE PAYAGUAJE'S MOTION TO COMPEL PLAINTIFF CHEVRON CORPORATION TO PRODUCE DOCUMENTS. ENDORSEMENT: Insofar as the motion [DI 811] seeks to compel production of documents pursuant to RFP nos. 262 and 263 and an answer to Interrogatory No. 10, Chevron's objection to the Interrogatory is overruled and RFP is modified as stated in paragraph 2 of the memorandum endorsement on DI 812. The motion is granted to the extent that Chevron shall answer the interrogatory as modified and produce the requested documents subject to any time period limitations previously established by agreement or court order. The motion is denied in all other respects, substantially for the reasons set forth in DI 831. The LAP Representatives' assertion that "[r]ecent filings emphasize Chevron's express intent to pursue only equitable and declaratory relief (Dkt. 783 at 6, n.3)" is not accurate. The cited statement in fact was this: "Chevron is considering pursuing only equitable and declaratory relief to expedite the trial of this matter, assuming any counterclaims seeking legal remedies otherwise requiring a jury trial are dismissed and Chevron is able to pursue this pure claim in equity. On December 24, 2012, Chevron also moved to dismiss Danziger's counterclaims. See Dkt. 697. And while Chevron seeks equitable remedies under other of its claims (such as RICO and fraud), the one claim on which it can unquestionably obtain equitable relief here to prevent the LAPs and their agents from benefiting from this fraudulent Ecuadorian judgment is this unjust enrichment claim." (Emphasis added.) That is quite another matter. Moreover, this Court only recently admonished counsel on both sides for their inaccurate citations of cases and evidence. This is one more example. (Signed by Judge Lewis A. Kaplan on 3/13/2013) (mro) (Entered: 03/14/2013)
03/14/2013	908	SEALED DOCUMENT placed in vault.(nm) Modified on 3/15/2013 (nm). (Entered: 03/15/2013)
03/15/2013	<u>905</u>	OPINION: #103022 PB shall produce documents responsive to the following specifications, as modified by the November 2012 Order: 2, 14, 18, 19, 21, 22, 26, 28 through 32, 35, 49, and 55 though 58 and, in addition, specification 20 insofar as it seeks documents described in the margin. To the extent PB claims that any documents responsive to these requests are protected by the attorney-client privilege or the protection afforded to "opinion" work product, such claims shall be asserted in conformity with S.D.N.Y. Local Civil Rule 26.2. To the extent PB claims that any documents responsive to these requests constitute fact work product, Chevron has overcome its burden, and PB must produce them. Production both of documents and the privilege log shall take place on a rolling basis commencing no later than March 28, 2013, with continuing production of each to occur no less than weekly. The Court recognizes that there is some uncertainty in present circumstances as to how quickly compliance reasonably can be achieved. For the present, the complete privilege log shall be due and production of all responsive documents not scheduled on the privilege log shall be completed on or before May 1, 2013. While the Court will consider a well supported request for additional time, any motion for an extension of the May 1 date shall made no later than April 14, 2013. (Signed by Judge Lewis A. Kaplan on 3/15/2013) (mro) Modified on 4/16/2013 (jab). (Entered: 03/15/2013)
03/15/2013		Set/Reset Deadlines: Motions due by 4/14/2013. (mro) (Entered: 03/15/2013)
03/15/2013	<u>906</u>	Letter addressed to Judge Lewis A. Kaplan from Craig Smyer and Larry R. Veselka dated 3/8/13 re: Counsel for Defendants Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje to respond to the two March 7, 2013 letters Mr.

		Mastro directed to the Court. Mr. Smyser provides the response to the letter dealing with the timing of the Petition for Mandamus and Mr. Veselka responds to the letter regarding the declarations of our retained experts Drs. Simon and Alban. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(mro) (Entered: 03/15/2013)
03/15/2013	<u>907</u>	ORDER: The opinion of even date (DI 905) is hereby corrected by submitting for page 64 the attached, corrected page 64. (Signed by Judge Lewis A. Kaplan on 3/15/2013) (mro) (Entered: 03/15/2013)
03/15/2013	<u>909</u>	MEMO ENDORSEMENT denying <u>771</u> CHEVRON CORPORATION'S MOTION TO STRIKE DEFENDANTS' DECLARATIONS OFFERED IN RESPONSE TO CRIME-FRAUD BRIEFING, OR IN THE ALTERNATIVE TO COMPEL DEFENDANTS TO PRODUCE THE DECLARANTS FOR DEPOSITION. ENDORSEMENT: The Court today has decided the first prong of the crime-fraud issue with respect to Patton Boggs' objections to Chevron's subpoena. In any respect as to which any of these declarations might have been pertinent, the issue was resolved in Chevron's favor, the Court having given these declarations such weight as they deserved in all the circumstances. These circumstances included, among others, the fact that the probable cause prong of the relevant legal standard is satisfied by a showing that "a prudent person ha[s] a reasonable basis to suspect the perpetration or attempted perpetration of a crime or fraud," In re Grand Jury Subpoena Dues Tecum Dated Sept. 15, 1983, 731 F.2d 1032, 1039 (2d Cir. 1984), and that "a finding of probable cause is not negated by an innocent explanation which may be consistent with the facts alleged." United States v. McDonald, 01-CR-1168JSWDW, 2002 WL 31956106, at *5 (E.D.N.Y. May 9, 2002) (quoting A.I.A. Holdings, S.A. v. Lehman Bros. Inc., 97 Civ. 4978 (LMM) (HBP), 1999 WL 61442, at *5 (S.D.N.Y. Feb. 3, 1999) (citing United States v. Farma, 758 F.2d 834, 838 (2d Cir. 1985)). The question whether the declarations should be stricken in connection with the determination of Patton Boggs' objections to the subpoena therefore is moot. Moreover, in light of the Rule 16 orders of March 7 and 15, 2013, these witnesses will be precluded from testifying at trial unless they first are deposed. The motion [DI 771] is denied without prejudice to renewal in the event the issue ever assumes more than theoretical relevance. (Signed by Judge Lewis A. Kaplan on 3/15/2013) (mro) Modified on 3/18/2013 (mro). (Main Document 909 replaced on 3/18/2013) (mro). (Entered: 03/15/2013)
03/15/2013	<u>910</u>	RULE 16 ORDER: Having considered the Rule 16 Order dated March 7, 2013 and the parties' subsequent submissions pursuant thereto, it is hereby ORDERED, as follows: There shall be no more than 21 fact witness depositions taken by plaintiff and no more than 21 fact witness depositions taken by defendants collectively. Absent agreement of the parties or leave of the Court, the witnesses to be deposed shall be those individuals and organizations. Both sides shall notify all parties on or before March 24, 2013 of the identities of the fact witnesses they will depose. Depositions of witnesses resident in South America who are unwilling to come to the United States for deposition shall take place at the United States Embassy in Lima, Peru, unless otherwise agreed to by all parties and the witness concerned or otherwise determined by the Court. There is sufficient evidence before the Court to warrant the conclusion that the safety and well being of witnesses and of lawyers and ancillary personnel is best served by the depositions taking place outside the Republic of Ecuador. Questions that might arise with respect to any service of process that may be effected or attempted, or to jurisdictional effect if any of an appearance, in a United States Embassy are not ripe for determination. This Court has no authority of which it is aware to make any advance determinations with respect thereto. Should any party disagree, it is welcome to bring relevant authority to the Court's attention. The Court notes the LAP Representatives' and the Donziger Defendants' contention that any attempt to serve process in a United States Embassy would be ineffective. DI 890, at 4 n.1. On or before April 1, 2013, the parties jointly shall submit a list of all witnesses to be deposed at the United States Embassy in Lima, Peru, and a proposed schedule for doing so that would minimize travel and accommodate the availability of the special master or masters who preside at any such depositions. The parties shall consult with the Embassy or the State Department, as appropriate, with respect to the schedule, facilities and other logistical matters in preparing the list and proposed schedule. As indicated in the Rule 16 Order of March 7, 2013 (the "Rule 16 Order") and on the record of the



		conference that preceded it (Tr., Mar. 5, 2013, at 10:6–12:1), the parties agreed to and the Court approved a rule that no foreign witness who fails to submit to a deposition abroad in a United States Embassy as outlined in paragraph 2 of the Rule 16 Order and paragraph 2 of this order shall be permitted to testify at trial or other proceedings subject to the resolution of the Donziger Defendants' request that there be a procedure for seeking leave of the court for exceptions to permit a foreign witness who had declined to be deposed to testify after the witness submits to deposition in the United States prior to trial. As such an application may be made by the proponent of the witness in the regular course, the Court will adhere to the rule articulated in the Rule 16 Order and agreed at the March 5 conference. Depositions taken in the United States in connection with the trial of foreign witnesses who decline to be deposed in accordance with the provisions of the Rule 16 Order and this order during pretrial discovery shall be exempt from the limitation on the numbers of fact depositions. (Signed by Judge Lewis A. Kaplan on 3/15/2013) (mro) Modified on 3/18/2013 (mro). (Entered: 03/15/2013)
03/15/2013	<u>911</u>	MEMO ENDORSEMENT denying <u>859</u> DEFENDANTS HUGO GERARDO CAMACHO NARANJO'S AND JAVIER PIAGUAJE PAYAGUAJE'S MOTION FOR PROTECTIVE ORDER REGARDING CHEVRON'S DEPOSITION NOTICES FOR CAMACHO AND PIAGUAJE. ENDORSEMENT: In view of the Rule 16 orders of March 7 and 15, 2013, this motion appears to be moot in that it is quite likely that depositions will take place in Lima, Peru, which is approximately a two hour non-stop flight from Quito, Ecuador, and that these individuals readily could be examined there in coordination with depositions of other witnesses, thus saving them a trip to the United States. Accordingly, the motion is denied without prejudice to plaintiffs right to renew its demand for depositions of these defendants in the United States and defendants' right to seek relief with respect to any such renewed demand. The Court, however, sees no reason why the parties should not be able to work this out if a modicum of good faith and effort and reasonable flexibility is invested on all sides. Motion [DI 859] denied without prejudice as above. (Signed by Judge Lewis A. Kaplan on 3/15/2013) (mro) Modified on 3/18/2013 (mro). (Entered: 03/15/2013)
03/15/2013	<u>912</u>	***VACATED pursuant to Order dated 3/25/13, Dkt. No. 937*** MEMO ENDORSEMENT granting <u>854</u> PLAINTIFF CHEVRON CORPORATION'S MOTION TO COMPEL LAP REPRESENTATIVES AND DONZIGER DEFENDANTS TO PRODUCE DOCUMENTS AND RECORDINGS OF ALLEGED INTERACTIONS BETWEEN CHEVRON AND POTENTIAL WITNESSES. ENDORSEMENT: Chevron moves to compel the LAP Representatives and the Donziger Defendants to produce certain materials described in the motion or, in the alternative, for an order precluding these defendants from relying in this action, for any purpose, on the alleged documents and recordings purporting to show contacts between Chevron's representatives and Judge Zambrano or other witnesses related to the Lago Agrio Court or the Lago Agrio Litigation. The LAP Representatives initially objected that the materials were not discoverable because they were created after July 10, 2012. In their opposition to the motion, they reiterate that objection and now claim also that they "do not [now] have the recordings," never have had them, and have not decided to use them. The Donziger Defendants state simply that they "do not intend to rely on these materials, if they exist, at trial." The materials, if they exist at all, come within the defendants' continuing Rule 26 disclosure obligations as well as their obligation to supplement their responses to Chevron's request for production 23. Accordingly, the opposition to this motion, though the LAP Representatives have not said so in so many words, again raises their contention that they are not obliged to produce documents and things that are in the hands of their Ecuadorian counsel and their non-lawyer associates. This Court already has ruled on that contention. Accordingly, the motion [Dkt 854] is granted to the extent that the LAP Representatives and the Donziger Defendants shall produce the requested materials on or before March 25, 2013. In the event the materials are not timely produced, Chevron may move for sanctions, which may include the requested order of preclusion. (Signed by Judge Lewis A. Kaplan on 3/15/2013) (mro) Modified on 3/25/2013 (mro). (Entered: 03/15/2013)
03/18/2013	<u>913</u>	STIPULATION AND ORDER: IT IS HEREBY STIPULATED AND AGREED by and between the parties herein, that the time for the Stratus Defendants to

		oppose Chevron's Partial Motion for Summary Judgment (Dkt. 744) is hereby extended to and includes March 21, 2013. This is the third request by the Stratus Defendants for an extension of time regarding this motion. While the Parties to this stipulation are mindful of the Court's statement that no further extensions will be granted, they believe that this short extension will promote the orderly resolution of the issues presented in Chevron's Partial Motion on Summary Judgment as to the Stratus Defendants. Set Deadlines/Hearing as to <u>744</u> MOTION for Partial Summary Judgment: ( Responses due by 3/21/2013) (Signed by Judge Lewis A. Kaplan on 3/18/2013) (mro) Modified on 3/18/2013 (mro). (Entered: 03/18/2013)
03/18/2013	<u>914</u>	RESPONSE re: <u>882</u> Order,,,,,,,,,,,,, <i>Response to Plaintiff Chevron Corporation's Supplemental Brief on Security Risks in Ecuador</i> . Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Keker, John) (Entered: 03/18/2013)
03/18/2013	<u>915</u>	MEMO ENDORSEMENT on re: <u>914</u> STEVEN DONZIGER, THE LAW OFFICES OF STEVEN R. DONZIGER, AND DONZIGER & ASSOCIATES, PLLC'S RESPONSE TO PLAINTIFF CHEVRON CORPORATION'S SUPPLEMENTAL BRIEF ON SECURITY RISKS IN ECUADOR. ENDORSEMENT: The Court overlooked the fact that it previously had given the defendants until March 18, 2013 to respond to Chevron's submission. Accordingly, any such response shall be filed no later than March 21, 2013. If any change in the prior order is warranted, it will be made. (Signed by Judge Lewis A. Kaplan on 3/18/2013) (mro) (Entered: 03/18/2013)
03/18/2013	<u>916</u>	MOTION to Strike Document No. <u>746</u> <i>Affidavits Accompanying Motion for Partial Summary Judgment</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit Ex A RROG, # <u>2</u> Exhibit Ex B Sup RROG, # <u>3</u> Exhibit Ex C Callejas Depo Tr, # <u>4</u> Exhibit Ex D RRFP, # <u>5</u> Exhibit Ex E RRFP, # <u>6</u> Exhibit Ex F Donziger RFP, # <u>7</u> Exhibit Ex G Smyser ltr)(Doyle, Tyler) (Entered: 03/18/2013)
03/18/2013	<u>917</u>	MEMORANDUM OF LAW in Opposition re: <u>744</u> MOTION for Partial Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT ON ALL CLAIMS, COUNTERCLAIMS AND AFFIRMATIVE DEFENSES, AND SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSE OF COLLATERAL ESTOPPE</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 03/18/2013)
03/18/2013	<u>918</u>	DECLARATION of Craig Smyser in Opposition re: <u>744</u> MOTION for Partial Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT ON ALL CLAIMS, COUNTERCLAIMS AND AFFIRMATIVE DEFENSES, AND SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSE OF COLLATERAL ESTOPPE</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17 part 1, # <u>18</u> Exhibit 17 part 2, # <u>19</u> Exhibit 18, # <u>20</u> Exhibit 19, # <u>21</u> Exhibit 20, # <u>22</u> Exhibit 21, # <u>23</u> Exhibit 22, # <u>24</u> Exhibit 23 part 1, # <u>25</u> Exhibit 23 part 2, # <u>26</u> Exhibit 23 part 3, # <u>27</u> Exhibit 24, # <u>28</u> Exhibit 25, # <u>29</u> Exhibit 26, # <u>30</u> Exhibit 27, # <u>31</u> Exhibit 28 part 1, # <u>32</u> Exhibit 28 part 2, # <u>33</u> Exhibit 29 public, # <u>34</u> Exhibit 30 part 1, # <u>35</u> Exhibit 30 part 2, # <u>36</u> Exhibit 30 part 3, # <u>37</u> Exhibit 30 part 4, # <u>38</u> Exhibit 30 part 5, # <u>39</u> Exhibit 30 part 6, # <u>40</u> Exhibit 31, # <u>41</u> Exhibit 32, # <u>42</u> Exhibit 33, # <u>43</u> Exhibit 34 part 1, # <u>44</u> Exhibit 34 part 2, # <u>45</u> Exhibit 35, # <u>46</u> Exhibit 36, # <u>47</u> Exhibit 37, # <u>48</u> Exhibit 38, # <u>49</u> Exhibit 39, # <u>50</u> Exhibit 40 part 1, # <u>51</u> Exhibit 40 part 2, # <u>52</u> Exhibit 41, # <u>53</u> Exhibit 42 part 1, # <u>54</u> Exhibit 42 part 2, # <u>55</u> Exhibit 43 part 1, # <u>56</u> Exhibit 43 part 2, # <u>57</u> Exhibit 43 part 3, # <u>58</u> Exhibit 43 part 4, # <u>59</u> Exhibit 43 part 5, # <u>60</u> Exhibit 44, # <u>61</u> Exhibit 45)(Doyle, Tyler) (Entered: 03/18/2013)
03/18/2013	<u>919</u>	COUNTER STATEMENT TO <u>764</u> Rule 56.1 Statement. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 03/18/2013)

03/18/2013	<u>920</u>	MEMORANDUM OF LAW in Opposition re: <u>744</u> MOTION for Partial Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT ON ALL CLAIMS, COUNTERCLAIMS AND AFFIRMATIVE DEFENSES, AND SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSE OF COLLATERAL ESTOPPE</i> . Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Werdegar, Matthew) (Entered: 03/18/2013)
03/18/2013	<u>921</u>	DECLARATION of Matthew M. Werdegar in Opposition re: <u>744</u> MOTION for Partial Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT ON ALL CLAIMS, COUNTERCLAIMS AND AFFIRMATIVE DEFENSES, AND SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSE OF COLLATERAL ESTOPPE</i> . Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15)(Werdegar, Matthew) (Entered: 03/18/2013)
03/18/2013	<u>922</u>	DECLARATION of STEVEN DONZIGER in Opposition re: <u>744</u> MOTION for Partial Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT ON ALL CLAIMS, COUNTERCLAIMS AND AFFIRMATIVE DEFENSES, AND SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSE OF COLLATERAL ESTOPPE</i> . Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Werdegar, Matthew) (Entered: 03/18/2013)
03/18/2013	<u>923</u>	RESPONSE re: <u>764</u> Rule 56.1 Statement. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Werdegar, Matthew) (Entered: 03/18/2013)
03/18/2013	<u>924</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Dispositive Motion (i.e., motion requiring a Report and Recommendation): DI #860 Chevron's Motion to Dismiss Stratus counterclaims. Referred to Magistrate Judge James C. Francis. Motions referred to James C. Francis. (Signed by Judge Lewis A. Kaplan on 3/18/2013) (mro) (Entered: 03/19/2013)
03/18/2013	<u>925</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Dispositive Motion (i.e., motion requiring a Report and Recommendation): DI #696 Chevron's Motion to Dismiss Donziger counterclaims. Referred to Magistrate Judge James C. Francis. Motions referred to James C. Francis. (Signed by Judge Lewis A. Kaplan on 3/18/2013) (mro) (Entered: 03/19/2013)
03/19/2013	<u>926</u>	OPPOSITION BRIEF re: <u>884</u> Memorandum of Law, <i>Supplemental Brief in Response to Chevron's Supplemental Brief on Security Risks in Ecuador</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G-1, # <u>9</u> Exhibit G-2, # <u>10</u> Exhibit H, # <u>11</u> Exhibit I)(Doyle, Tyler) (Entered: 03/19/2013)
03/20/2013	927	SEALED DOCUMENT placed in vault.(mps) (Entered: 03/20/2013)
03/20/2013	928	SEALED DOCUMENT placed in vault.(nm) (Entered: 03/20/2013)
03/20/2013	<u>929</u>	STIPULATION AND ORDER: IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties that Stratus' time to answer the Dismissal and Summary Judgment Motion is extended to and including April 4, 2013; and reply papers shall be submitted by April 19, 2013; and IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be signed in counterparts and filed without further notice with the Clerk of the Court, and that facsimile and electronic copies shall be deemed originals., ( Responses due by 4/4/2013., Replies due by 4/19/2013.) (Signed by Magistrate Judge James C. Francis on 3/20/2013) (lmb) (Entered: 03/20/2013)

03/20/2013	<u>930</u>	JOINDER to join re: <u>916</u> MOTION to Strike Document No. <u>746</u> Affidavits Accompanying Motion for Partial Summary Judgment. MOTION to Strike Document No. <u>746</u> Affidavits Accompanying Motion for Partial Summary Judgment.. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger.(Werdegar, Matthew) (Entered: 03/20/2013)
03/20/2013	<u>931</u>	JOINDER to join re: <u>926</u> Opposition Brief, Joinder in Supplemental Brief of Defendants Hugo Gerardo Camacho and Javier Piaguaje Payaguaje in Response to Chevron's Supplemental Brief on Security Risks in Ecuador. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger.(Werdegar, Matthew) (Entered: 03/20/2013)
03/22/2013	<u>932</u>	MOTION for Order to Show Cause – [PROPOSED] CHEVRON CORPORATION AND THE STRATUS DEFENDANTS ORDER TO SHOW CAUSE TO (1) STAY ALL DEADLINES AS TO THE STRATUS DEFENDANTS AND (2) FOR AN ORDER PURSUANT TO FED. R. CIV. P. 41(a)(2). Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 03/22/2013)
03/22/2013	<u>933</u>	MEMORANDUM OF LAW in Support re: <u>932</u> MOTION for Order to Show Cause – [PROPOSED] CHEVRON CORPORATION AND THE STRATUS DEFENDANTS ORDER TO SHOW CAUSE TO (1) STAY ALL DEADLINES AS TO THE STRATUS DEFENDANTS AND (2) FOR AN ORDER PURSUANT TO FED. R. CIV. P. 41(a)(2). MOTION for Order to Show Cause – [PROPOSED] CHEVRON CORPORATION AND THE STRATUS DEFENDANTS ORDER TO SHOW CAUSE TO (1) STAY ALL DEADLINES AS TO THE STRATUS DEFENDANTS AND (2) FOR AN ORDER PURSUANT TO FED. R. CIV. P. 41(a)(2). Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 03/22/2013)
03/22/2013	<u>934</u>	DECLARATION of RANDY M. MASTRO in Support re: <u>932</u> MOTION for Order to Show Cause – [PROPOSED] CHEVRON CORPORATION AND THE STRATUS DEFENDANTS ORDER TO SHOW CAUSE TO (1) STAY ALL DEADLINES AS TO THE STRATUS DEFENDANTS AND (2) FOR AN ORDER PURSUANT TO FED. R. CIV. P. 41(a)(2). MOTION for Order to Show Cause – [PROPOSED] CHEVRON CORPORATION AND THE STRATUS DEFENDANTS ORDER TO SHOW CAUSE TO (1) STAY ALL DEADLINES AS TO THE STRATUS DEFENDANTS AND (2) FOR AN ORDER PURSUANT TO FED. R. CIV. P. 41(a)(2). Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1)(Mastro, Randy) (Entered: 03/22/2013)
03/22/2013	<u>1001</u>	INTERNET CITATION NOTE: Material from decision with Internet citation re: <u>905</u> Memorandum & Opinion. (sj) (Entered: 04/11/2013)
03/25/2013	<u>935</u>	ORDER TO SHOW CAUSE TO (1) STAY ALL DEADLINES AS TO THE STRATUS DEFENDANTS AND (2) FOR AN ORDER PURSUANT TO FED. R. CIV. P. 41(a)(2) granting <u>932</u> Motion for Order to Show Cause. ORDERED that the Donziger Defendants and the Lago Agrio Plaintiff Defendants show cause before this Court, at the United States District Courthouse, Room 21B, 500 Pearl Street, New York, New York, on April 1, 2013, why an order should not be entered Chevron and the Stratus Defendants Joint Motion By Order to Show Cause to (1) Stay All Deadlines as to the Stratus Defendants and (2) for an Order for an Order Pursuant to Fed. R. Civ. P. 41(a)(2); and ORDERED that either Chevron or the Stratus Defendants shall serve counsel for the Donziger Defendants and the Lago Agrio Plaintiff defendants electronically, by hand, facsimile, or e-mail a copy of this Order to Show Cause and all papers submitted in support thereof on or before 3:00 p.m. on March 25, 2013; and Ordered that papers in opposition to the Motion, if any, shall be served and filed electronically at or before 1 p.m. on March 29, 2013; and Ordered that reply papers, if any, shall be served and filed electronically at or before 1 p.m. on April 1, 2013; and it is further Ordered that pending further order of the Court, all the deadlines as against the Stratus Defendants are hereby stayed, including but not limited to the following: the March 21, 2013 deadline for the Stratus Defendants' Opposition to Chevron's Motion for Partial Summary Judgment; March 24, 2013 deadline for notification by all parties of the identities of fact witnesses they intend to depose; April 1, 2013 deadline for joint submission by all parties of a list of witnesses to be deposed in the U.S. Embassy in Lima, Peru



		and a schedule for doing so; April 4, 2013 deadline for the Stratus Defendants' Opposition to Chevron's Motion to Dismiss and/or Strike Stratus's Counterclaims; April 11, 2013 noticed deposition of Ann Maest; April 22, 2013 deadline for Rebuttal Expert Disclosures; May 17, 2013 noticed deposition of Douglas Beltman; May 31, 2013 deadline for completion of discovery by all parties; June 30, 2013 deadline for the parties to file a Joint Pretrial Order, Jury Instructions, Proposed Verdict Form and it accompanying Joint Status Report; and the October 15, 2013 scheduled start of trial, and it is further Ordered, that this motion will be taken on submission unless the Court otherwise orders. (Signed by Judge Lewis A. Kaplan on 3/23/2013) (mro) (Entered: 03/25/2013)
03/25/2013	<u>936</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from John W. Kecker dated 3/21/13 re: Counsel writes on behalf of the Donziger defendants to object to Your Honor's referral to Magistrate Judge Francis of Chevron's Motion to Dismiss the Donziger Defendants' Counter-Claims (Dkt. No. 925). ENDORSEMENT: Counsel evidently has overlooked the facts that (1) the Court has not stayed discovery on the counterclaims, (2) it repeatedly referred motions to the magistrate judge in the Court of action, and (3) this Court has heavy responsibility in this and other cases. Denied. (Signed by Judge Lewis A. Kaplan on 3/25/2013) (mro) Modified on 3/25/2013 (mro). (Entered: 03/25/2013)
03/25/2013	<u>937</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from John W. Kecker dated 3/21/13 re: Counsel for the Donziger defendants writes regarding Dkt No. 912, where the Court granted Chevron's motion to compel and ordered Donziger and the Ecuadorian Plaintiffs to produce, by 3/25/13, certain recordings and materials concerning interactions between Chevron's counsel Andres Rivero and Ecuadorian Judge Zambrano. Donziger submits that the Court's bases for granting Chevron's motion do not support the ordered relief. ENDORSEMENT: The Court treats this as a motion for reconsideration, grants the motion, and vacates the 3/15/13 order referred to. (Signed by Judge Lewis A. Kaplan on 3/25/2013) (mro) (Entered: 03/25/2013)
03/25/2013	<u>938</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 3/21/13 re: Counsel for Chevron Corporation writes to request an additional four days, until April 1, for Chevron to file its reply to Defendants' oppositions to Chevron's Motion for Partial Summary Judgment on all claims, counterclaims, and Affirmative Defenses and Summary Judgment on Defendants' Affirmative defense collateral Estoppel filed on 3/18 and for an expansion of the page limit to permit counsel to file a 20-page reply brief. ENDORSEMENT: Granted. So ordered. ( Replies due by 4/1/2013.) (Signed by Judge Lewis A. Kaplan on 3/25/2013) (mro) (Entered: 03/25/2013)
03/25/2013		Set/Reset Deadlines: Show Cause Response due by 3/29/2013. (mro) (Entered: 03/26/2013)
03/26/2013	<u>939</u>	MEMORANDUM AND ORDER granting in part and denying in part <u>798</u> Motion for Discovery. For the foregoing reasons, Chevron's motion [DI 798] is granted to the extent that the Court determines that all defendants were "present or represented" at the 1782 Depositions, thus satisfying Rule 32(a)(1)(A) and (a)(8) and making them usable "to the same extent as if taken in [this] action." It is denied in all other respects. (Signed by Judge Lewis A. Kaplan on 3/26/2013) (mro) (Entered: 03/26/2013)
03/26/2013	<u>940</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 3/25/13 re: Counsel writes to request a longer extension regarding Chevron's reply to defendants oppositions to Chevron's Motion for Partial Summary Judgment until 4/5/13. ENDORSEMENT: Granted. ( Replies due by 4/5/2013.) (Signed by Judge Lewis A. Kaplan on 3/26/2013) (mro) (Entered: 03/26/2013)
03/26/2013	<u>941</u>	ORDER: For all of the foregoing reasons, depositions of witnesses resident in Ecuador shall take place at the United States Embassy in Lima, Peru, or at such other embassy outside of Ecuador as may be agreed by the parties and approved by the Court. (Signed by Judge Lewis A. Kaplan on 3/26/2013) (mro) (Entered: 03/26/2013)

03/26/2013	<u>942</u>	ORDER OF APPOINTMENT: The Court on March 1, 2013 granted Chevron's motion for the appointment of a special master to the extent that it ruled that it would appoint at least two special masters in order to handle depositions in this matter. Affidavits of Messrs. Max Gitter and Theodore H. Katz, whom the Court is considering for appointment, have been filed pursuant to Fed. R. Civ. P. 53(b)(3)(A), and the parties were given an opportunity to object. Having considered the parties' responses, it is hereby ORDERED, as follows: The objections to the appointment of Mr. Gitter, all or most of which have been considered and rejected on previous occasions, all are without merit and are overruled. The special master shall Preside at such depositions as the parties may agree or as the Court may designate and, at each such deposition, exercise such powers (save with respect to contempt) as the trial judge could exercise if the witness were testifying at trial including without limitation to regulate the conduct of counsel and witnesses, rule on objections to questions (including privilege objections), and direct witnesses to answer questions. Establish deposition schedules consistent with the Court's scheduling order, resolve all issues relating to the scheduling and conduct of depositions save to the extent that the Court previously has resolved or hereafter resolves such issues, as further listed herein. Mr. Gitter shall be compensated at the hourly rate schedule he maintains at Cleary, Gottlieb, Steen & Hamilton ("Cleary"), and Judge Katz shall be compensated at the hourly rate schedule he maintains at JAMS. The time records, compensation, and expenses of the special masters and any assistants (infra paragraph 9) shall be administered by Cleary and JAMS, respectively. They and any assistants shall also be reimbursed for disbursements in accordance with the policies of their respective organizations, as well as for the costs of travel, lodging, meals, and incidental expenses, while traveling in order to perform their duties hereunder. The special masters shall bill monthly for their compensation, disbursements, and expenses. On an interim basis, each shall bill plaintiff for 50 percent of the cost and defendants (other than the Stratus Defendants) for 50 percent of the costs. The defendants other than the Stratus Defendants shall be jointly and severally liable for payment of the bills. The ultimate allocation of the costs of the special masters shall be fixed at the conclusion of their services, taking into account the factors enumerated in Fed. R. Civ. P. 53(g)(3). See <i>Lago Agrio Plaintiffs v. Chevron Corp.</i> , 409 Fed. Appx. 393, 395 (2d Cir. 2010). Mr. Gitter is authorized to employ up to one Cleary associate and up to one Cleary legal assistant to facilitate the performance of his duties hereunder. Any such assistants may travel in connection with their duties only if and to the extent the Court subsequently may authorize. (Signed by Judge Lewis A. Kaplan on 3/26/2013) (mro) (Entered: 03/26/2013)
03/26/2013	<u>943</u>	Letter addressed to Judge Lewis A. Kaplan from John W. Keker dated 3/18/13 re: Counsel for the Donziger defendants writes to object to the appointment of any Special Masters in this case, and in particular to the appointment of Max Glitter. Document filed by Steven Donziger, Donziger & Associates, PLLC.(mro) (Entered: 03/26/2013)
03/26/2013	<u>944</u>	Letter addressed to Judge Lewis A. Kaplan from Craig Smyser dated 3/18/13 re: Counsel writes to join in Mr. John Keker's 3/18/13 letter on behalf of the Donziger defendants objecting to the appointment of any Special Masters in this case. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(mro) (Entered: 03/26/2013)
03/26/2013	<u>945</u>	Letter addressed to Judge Lewis A. Kaplan from Randy Mastro dated 3/20/13 re: Counsel writes in response to the letters objecting to the appointment of Special Masters in this case. Document filed by Chevron Corporation.(mro) (Entered: 03/26/2013)
03/26/2013	<u>946</u>	ORDER: The LAP Representatives' letter request of March 18, 2013 for a conference is denied, as they have not suggested anything to warrant a conclusion that there is any need. They are well aware of how to proceed in the circumstances. (Signed by Judge Lewis A. Kaplan on 3/26/2013) (mro) (Entered: 03/26/2013)
03/26/2013	<u>947</u>	RESPONSE in Opposition re: <u>893</u> MOTION for Sanctions / <i>PLAINTIFF CHEVRON CORPORATION'S NOTICE OF MOTION TO SANCTION AND HOLD THE DONZIGER DEFENDANTS AND LAP REPRESENTATIVES IN CONTEMPT OF COURT FOR DISOBEYING THE COURT'S DISCOVERY ORDERS.</i> Document filed by Steven Donziger, Donziger & Associates, PLLC, The

		Law Offices of Steven R. Donziger. (Keker, John) (Entered: 03/26/2013)
03/26/2013	<u>948</u>	DECLARATION of MATTHEW M. WERDEGAR in Opposition re: <u>893</u> MOTION for Sanctions / <i>PLAINTIFF CHEVRON CORPORATION'S NOTICE OF MOTION TO SANCTION AND HOLD THE DONZIGER DEFENDANTS AND LAP REPRESENTATIVES IN CONTEMPT OF COURT FOR DISOBEYING THE COURT'S DISCOVERY ORDERS.</i> . Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Keker, John) (Entered: 03/26/2013)
03/26/2013	<u>949</u>	MOTION to Compel <i>Non-Settling Defendants' Motion to Compel Production of Declarations and to Extend the Date for Their Response to the Order to Show Cause Regarding Chevron/Stratus Settlement.</i> Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Doyle, Tyler) (Entered: 03/26/2013)
03/26/2013	<u>950</u>	MEMORANDUM OF LAW in Opposition re: <u>893</u> MOTION for Sanctions / <i>PLAINTIFF CHEVRON CORPORATION'S NOTICE OF MOTION TO SANCTION AND HOLD THE DONZIGER DEFENDANTS AND LAP REPRESENTATIVES IN CONTEMPT OF COURT FOR DISOBEYING THE COURT'S DISCOVERY ORDERS.</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 03/26/2013)
03/26/2013	<u>951</u>	DECLARATION of Jarod Stewart in Opposition re: <u>893</u> MOTION for Sanctions / <i>PLAINTIFF CHEVRON CORPORATION'S NOTICE OF MOTION TO SANCTION AND HOLD THE DONZIGER DEFENDANTS AND LAP REPRESENTATIVES IN CONTEMPT OF COURT FOR DISOBEYING THE COURT'S DISCOVERY ORDERS.</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Doyle, Tyler) (Entered: 03/26/2013)
03/26/2013	<u>952</u>	DECLARATION of Craig Smyser in Opposition re: <u>893</u> MOTION for Sanctions / <i>PLAINTIFF CHEVRON CORPORATION'S NOTICE OF MOTION TO SANCTION AND HOLD THE DONZIGER DEFENDANTS AND LAP REPRESENTATIVES IN CONTEMPT OF COURT FOR DISOBEYING THE COURT'S DISCOVERY ORDERS.</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 03/26/2013)
03/27/2013	<u>953</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 3/5/2013 before Judge Lewis A. Kaplan. Court Reporter/Transcriber: Rose Prater, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/22/2013. Redacted Transcript Deadline set for 5/2/2013. Release of Transcript Restriction set for 6/28/2013.(Rodriguez, Somari) (Entered: 03/27/2013)
03/27/2013	<u>954</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 3/5/13 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Rodriguez, Somari) (Entered: 03/27/2013)
03/28/2013	<u>955</u>	ORDER denying <u>949</u> Motion to Compel Non-Settling Defendants' Motion to Compel Production of Declarations and to Extend the Date for Their Response to the Order to Show Cause Regarding Chevron/Stratus Settlement. On March 26, 2013, the non-settling defendants moved for certain discovery in connection with the motion by the settling defendants and for additional time in which to respond to the settling defendants' motion. Accordingly, the Court will deal with this problem in stages. In the first instance, it will limit its consideration of the settling defendants' motion to matters that do not involve consideration of the propriety of the substantive terms of the settlement, focusing principally on whether those substantive terms are any proper concern of the Court. For that purpose, no

		discovery is required and no significant additional time is required. Should it later appear that the Court should consider the propriety of any substantive terms of the settlement in order to pass on the settling defendants' motion, the non-settling defendants will be afforded an opportunity to address that subject. For the moment, however, so much of the non-settling defendants' motion as seeks discovery and additional time in order to respond to the non-settling defendants' motion is denied save that the time for filing their answering papers, as limited in light of this order, is extended to and including April 1, 2013 and the time for the filing of reply papers is extended to and including April 3, 2013. (Signed by Judge Lewis A. Kaplan on 3/28/2013) (mro) (Entered: 03/28/2013)
03/28/2013	<u>956</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 3/27/13 re: Counsel writes in respond to the Donziger Defendants and the Lago Agrio Plaintiffs' March 26 Motion to Compel Production of Declarations and the Extend the date for their response to the Order to show cause regarding Chevron/Stratus Settlement (Dkt. 949). Counsel states that the Stratus Defendants have until Thursday, March 28, to respond—one day before the due date for their Opposition to the Joint Motion. Accordingly, Chevron seeks clarification and guidance from the Court, at its earliest convenience, so that it knows whether it must file an opposition to this Motion or whether it can address the merits of the Motion in its Reply due Monday. ENDORSEMENT: In view of DI 949, this request is moot. (Signed by Judge Lewis A. Kaplan on 3/28/2013) (mro) (Entered: 03/28/2013)
03/28/2013	<u>957</u>	MOTION for Jarod R. Stewart to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8368202. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Affidavit Declaration of Doyle, # <u>2</u> Affidavit Declaration of Stewart, # <u>3</u> Proof of Service, # <u>4</u> Text of Proposed Order)(Doyle, Tyler) (Entered: 03/28/2013)
03/29/2013	958	ORDER granting <u>957</u> Motion for Jarod R. Stewart to Appear Pro Hac Vice. (Signed by Judge Lewis A. Kaplan on 3/29/2013) (Kaplan, Lewis) (Entered: 03/29/2013)
03/29/2013		<b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>957</u> MOTION for Jarod R. Stewart to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8368202. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bwa) (Entered: 03/29/2013)</b>
03/29/2013	<u>959</u>	MOTION for Reconsideration re: <u>905</u> Memorandum & Opinion,,,,, <i>Memorandum of Law in Support of Defendants' Joint Motion to Reconsider the Court's March 15, 2013 Order Regarding Chevron's Subpoena to Patton Boggs</i> . Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger.(Doyle, Tyler) (Entered: 03/29/2013)
04/01/2013	<u>960</u>	RESPONSE in Opposition re: <u>932</u> MOTION for Order to Show Cause – [PROPOSED] CHEVRON CORPORATION AND THE STRATUS DEFENDANTS ORDER TO SHOW CAUSE TO (1) STAY ALL DEADLINES AS TO THE STRATUS DEFENDANTS AND (2) FOR AN ORDER PURSUANT TO FED. R. CIV. P. 41(a)(2). MOTION for Order to Show Cause – [PROPOSED] CHEVRON CORPORATION AND THE STRATUS DEFENDANTS ORDER TO SHOW CAUSE TO (1) STAY ALL DEADLINES AS TO THE STRATUS DEFENDANTS AND (2) FOR AN ORDER PURSUANT TO FED. R. CIV. P. 41(a)(2).. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 04/01/2013)
04/01/2013	<u>961</u>	DECLARATION of Craig Smyser in Opposition re: <u>932</u> MOTION for Order to Show Cause – [PROPOSED] CHEVRON CORPORATION AND THE STRATUS DEFENDANTS ORDER TO SHOW CAUSE TO (1) STAY ALL DEADLINES AS TO THE STRATUS DEFENDANTS AND (2) FOR AN ORDER PURSUANT TO FED. R. CIV. P. 41(a)(2). MOTION for Order to Show Cause – [PROPOSED] CHEVRON CORPORATION AND THE STRATUS DEFENDANTS ORDER TO SHOW CAUSE TO (1) STAY ALL DEADLINES AS TO THE STRATUS DEFENDANTS AND (2) FOR AN ORDER PURSUANT TO FED. R. CIV. P.



		41(a)(2).. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Doyle, Tyler) (Entered: 04/01/2013)
04/01/2013	<u>962</u>	RESPONSE re: <u>910</u> Order,,,,,,,,,,,,, <i>Joint Report of the Parties Regarding The Scheduling of Foreign Depositions</i> . Document filed by Hugo Gerardo Camacho Naranjo, Chevron Corporation, Steven Donziger, Donziger & Associates, PLLC. (Mastro, Randy) (Entered: 04/01/2013)
04/02/2013	<u>964</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Max Gitter dated 4/2/13 re: Special Master states that it is appropriate to reduce his hourly charge from Cleary Gottlieb's rate schedule for senior counsel to match Judge Katz's hourly rate of \$700 per hour. ENDORSEMENT: Approved. So ordered. (Signed by Judge Lewis A. Kaplan on 4/2/2013) (mro) (Entered: 04/02/2013)
04/02/2013	<u>965</u>	REPLY MEMORANDUM OF LAW in Support re: <u>893</u> MOTION for Sanctions / <i>PLAINTIFF CHEVRON CORPORATION'S NOTICE OF MOTION TO SANCTION AND HOLD THE DONZIGER DEFENDANTS AND LAP REPRESENTATIVES IN CONTEMPT OF COURT FOR DISOBEYING THE COURT'S DISCOVERY ORDERS..</i> Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 04/02/2013)
04/02/2013	<u>966</u>	DECLARATION of Anne Champion in Support re: <u>893</u> MOTION for Sanctions / <i>PLAINTIFF CHEVRON CORPORATION'S NOTICE OF MOTION TO SANCTION AND HOLD THE DONZIGER DEFENDANTS AND LAP REPRESENTATIVES IN CONTEMPT OF COURT FOR DISOBEYING THE COURT'S DISCOVERY ORDERS..</i> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 3601–3605, # <u>2</u> Exhibit 3606–3610, # <u>3</u> Exhibit 3611–3615, # <u>4</u> Exhibit 3616–3620, # <u>5</u> Exhibit 3621–3625, # <u>6</u> Exhibit 3626, # <u>7</u> Exhibit 3627–3631)(Mastro, Randy) (Entered: 04/02/2013)
04/03/2013	<u>967</u>	MEMORANDUM OF LAW in Support re: <u>935</u> Order on Motion for Order to Show Cause,,,,,,,,,, <u>932</u> MOTION for Order to Show Cause – <i>[PROPOSED] CHEVRON CORPORATION AND THE STRATUS DEFENDANTS ORDER TO SHOW CAUSE TO (1) STAY ALL DEADLINES AS TO THE STRATUS DEFENDANTS AND (2) FOR AN ORDER PURSUANT TO FED. R. CIV. P. 41(a)(2). MOTION for Order to Show Cause – [PROPOSED] CHEVRON CORPORATION AND THE STRATUS DEFENDANTS ORDER TO SHOW CAUSE TO (1) STAY ALL DEADLINES AS TO THE STRATUS DEFENDANTS AND (2) FOR AN ORDER PURSUANT TO FED. R. CIV. P. 41(a)(2). /Stratus Defendants' Reply Memorandum of law in support of motion to approve Dismissal pursuant to Fed.R. Civ. P. 41(A)(2).</i> Document filed by Douglas Beltman, Ann Maest, Stratus Consulting, Inc.. (Krause, Stuart) (Entered: 04/03/2013)
04/03/2013	<u>968</u>	MOTION Strike Chevron's Excessive and Irrelevant Experts. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30, # <u>31</u> Exhibit 31, # <u>32</u> Exhibit 32, # <u>33</u> Exhibit 33, # <u>34</u> Exhibit 34, # <u>35</u> Exhibit 35)(Doyle, Tyler) (Entered: 04/03/2013)
04/03/2013	<u>969</u>	REPLY MEMORANDUM OF LAW in Support re: <u>932</u> MOTION for Order to Show Cause – <i>[PROPOSED] CHEVRON CORPORATION AND THE STRATUS DEFENDANTS ORDER TO SHOW CAUSE TO (1) STAY ALL DEADLINES AS TO THE STRATUS DEFENDANTS AND (2) FOR AN ORDER PURSUANT TO FED. R. CIV. P. 41(a)(2). MOTION for Order to Show Cause – [PROPOSED] CHEVRON CORPORATION AND THE STRATUS DEFENDANTS ORDER TO SHOW CAUSE TO (1) STAY ALL DEADLINES AS TO THE STRATUS DEFENDANTS AND (2) FOR AN ORDER PURSUANT TO FED. R. CIV. P. 41(a)(2)..</i> Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 04/03/2013)

04/03/2013	970	SEALED DOCUMENT placed in vault.(mps) (Entered: 04/04/2013)
04/04/2013	<u>971</u>	JOINT ORDER NO. 1: Given the contentiousness of the parties even in response to our request for objective information pertaining to scheduling, and the need to address preliminary matters, we will hold a relatively short (no more than one hour) conference call either tomorrow, March 30, at 12:00 p.m. New York time or Monday, April 1, at 6:00 p.m. New York time. We expect to use this conference call principally to ask questions, and we will make determinations, including when to hold an organizational meeting, after the call. Counsel are directed to inform Mr. Ormand, by separate email (not copying any counsel) before 8:00 p.m. New York time tonight, as to which of the above-referenced times they prefer. We will then advise you all of the day and the time of the conference call and will circulate dial-in information. If lead counsel cannot attend the call at the designated time, they shall send a delegate in their stead. The email to Mr. Ormand shall contain no argument and no criticism of opposing counsel whatsoever. We find, as did Judge Kaplan, that the contentious exchanges among counsel are counter-productive and unprofessional, and expect them to cease as we move forward in this proceeding. Finally, in light of the proposed settlement between Chevron and Stratus, the stay of discovery deadlines with respect to Stratus, and the unlikelihood that Stratus will be participating to a significant degree in discovery, we do not think Stratus presence is necessary at this point. Stratus is welcome to participate if they wish to do so. (Signed by Special Master Theodore H. Katz and Special Master Max Gitter on 3/29/2013) (mro) (Entered: 04/04/2013)
04/04/2013	<u>972</u>	JOINT ORDER NO. 2: A preliminary conference call will be held on Monday, April 1, at 6:00 p.m. New York time. Dial-in details, including an international dial-in (for Mr. Kekers convenience), are set forth below. The purpose of this preliminary call is to elicit information pertaining to matters requiring immediate attention, such as depositions scheduled for the next few weeks, who intends to attend those depositions, whether Special Master supervision will be required, and other similar issues. Regrettably, as the dispute early yesterday between Mr. Mastro and Mr. Veselka about a deposition planned for Friday, April 5 proved, these matters cannot all be deferred for a full week, until Mr. Kecker returns. As stated in Joint Order No. 1, if lead counsel are unable to attend the call, they shall send a delegate in their stead. Counsel for Chevron is directed to engage a court reporter to transcribe the call. (Signed by Special Master Theodore H. Katz and Special Master Max Gitter on 3/30/2013) (mro) (Entered: 04/04/2013)
04/04/2013	<u>973</u>	MOTION to Supplement the Summary Judgment Record with New Evidence re: <u>917</u> Memorandum of Law in Opposition to Motion, <i>Chevron's Motion for Partial Summary Judgment on All Claims, Counterclaims, and Affirmative Defenses, and Summary Judgment on Defendants' Affirmative Defense of Collateral Estoppel</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(Doyle, Tyler) (Entered: 04/04/2013)
04/04/2013	<u>974</u>	DECLARATION of Craig Smyser in Support re: <u>973</u> MOTION to Supplement the Summary Judgment Record with New Evidence re: <u>917</u> Memorandum of Law in Opposition to Motion, <i>Chevron's Motion for Partial Summary Judgment on All Claims, Counterclaims, and Affirmative Defenses, and Summary Judgment MOTION to Supplement the Summary Judgment Record with New Evidence re: 917 Memorandum of Law in Opposition to Motion, Chevron's Motion for Partial Summary Judgment on All Claims, Counterclaims, and Affirmative Defenses, and Summary Judgment. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 1 Part 1, # <u>2</u> Exhibit 1 Part 2, # <u>3</u> Exhibit 1 Part 3, # <u>4</u> Exhibit 1 Part 4, # <u>5</u> Exhibit 1 Part 5, # <u>6</u> Exhibit 1 Part 6, # <u>7</u> Exhibit 1 Part 7, # <u>8</u> Exhibit 2, # <u>9</u> Exhibit 3)(Doyle, Tyler) (Entered: 04/04/2013)</i>
04/04/2013	<u>975</u>	JOINDER to join re: <u>973</u> MOTION to Supplement the Summary Judgment Record with New Evidence re: <u>917</u> Memorandum of Law in Opposition to Motion, <i>Chevron's Motion for Partial Summary Judgment on All Claims, Counterclaims, and Affirmative Defenses, and Summary Judgment MOTION to Supplement the Summary Judgment Record with New Evidence re: 917 Memorandum of Law in Opposition to Motion, Chevron's Motion for Partial Summary Judgment on All Claims, Counterclaims, and Affirmative Defenses, and Summary Judgment. Document filed by Steven Donziger, Donziger &amp; Associates, PLLC, The Law Offices of Steven R. Donziger.(Werdegar, Matthew) (Entered: 04/04/2013)</i>

04/04/2013	<u>976</u>	MEMORANDUM OF LAW in Opposition re: <u>916</u> MOTION to Strike Document No. <u>746</u> Affidavits Accompanying Motion for Partial Summary Judgment. MOTION to Strike Document No. <u>746</u> Affidavits Accompanying Motion for Partial Summary Judgment.. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 04/04/2013)
04/04/2013	<u>977</u>	DECLARATION of Randy M. Mastro in Opposition re: <u>916</u> MOTION to Strike Document No. <u>746</u> Affidavits Accompanying Motion for Partial Summary Judgment. MOTION to Strike Document No. <u>746</u> Affidavits Accompanying Motion for Partial Summary Judgment.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 3632, # <u>2</u> Exhibit 3633, # <u>3</u> Exhibit 3634, # <u>4</u> Exhibit 3635, # <u>5</u> Exhibit 3636, # <u>6</u> Exhibit 3637, # <u>7</u> Exhibit 3638, # <u>8</u> Exhibit 3639, # <u>9</u> Exhibit 3640, # <u>10</u> Exhibit 3641, # <u>11</u> Exhibit 3642, # <u>12</u> Exhibit 3643, # <u>13</u> Exhibit 3644, # <u>14</u> Exhibit 3645)(Mastro, Randy) (Entered: 04/04/2013)
04/05/2013	<u>978</u>	Letter addressed to Judge Lewis A. Kaplan from Max Gitter dated 4/2/13 re: In light of the fact that there are two Special Masters in this matter I have concluded that it is appropriate to reduce my hourly charge from Cleary Gottlieb's rate schedule for senior counsel to match Judge Katz's hourly rate of \$700 per hour. He and I jointly request Your Honor's approval of this change. (mro) (Entered: 04/05/2013)
04/05/2013	<u>979</u>	<b>FILING ERROR – DEFICIENT DOCKET ENTRY –</b> MOTION for Ethan D. Dettmer to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208–8392879. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Affidavit Declaration of Randy Mastro, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Text of Proposed Order, # <u>5</u> Certificate of Service)(Mastro, Randy) Modified on 4/5/2013 (bcu). (Entered: 04/05/2013)
04/05/2013		<b>&gt;&gt;&gt;NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice regarding Document No. <u>979</u> MOTION for Ethan D. Dettmer to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208–8392879. Motion and supporting papers to be reviewed by Clerk's Office staff.. The filing is deficient for the following reason(s): Missing Certificate of Good Standing. Certificates of Good Standing must be issued by State Court. Re–file the document as a Corrected Motion to Appear Pro Hac Vice and attach a valid Certificate of Good Standing, issued within the past 30 days. (bcu) (Entered: 04/05/2013)</b>
04/05/2013	<u>980</u>	STIPULATION AND ORDER: WHEREAS, on November 29, 2012, Chevron Corporation, the plaintiff in the above–captioned matter, issued a subpoena for the production of documents and communications from the United States District Court for the Northern District of Georgia to non–party David Russell for the above–captioned proceeding ("2012 Subpoena"); IT IS HEREBY STIPULATED, by and between, Chevron, Mr. Russell, Donziger, and Camacho/Piaguaje that, to the extent there are documents subject to a claim of attorney–client privilege or work product protection by Donziger or Camacho/Piaguaje, Mr. Russell may produce such documents to Chevron in order to avoid litigation regarding such assertion of privilege and/or work product, and Chevron shall not argue that such disclosure constitutes a waiver of any privilege or protection pursuant to Federal Rule of Evidence 502(d); and IT IS FURTHER STIPULATED that the production of any documents or the disclosure of any information by Mr. Russell to Chevron shall not, pursuant to Federal Rule of Evidence 502(d), constitute a subject matter waiver of any privilege or protection; and IT IS FURTHER STIPULATED that any documents produced by Mr. Russell pursuant to this stipulation may be designated "Confidential" pursuant to the protective order in effect in this action (Dkt. 723), except that Chevron reserves its right to challenge any such designation pursuant to paragraphs 13 and 14 of that order; and IT IS FURTHER STIPULATED that Chevron may use any document produced or testimony provided pursuant to this stipulation for any purpose subject to the terms, conditions and restrictions of the protective order in this action and further subject to any objections to the relevance, authenticity or admissibility of any document, all of which objections are expressly reserved. (Signed by Judge Lewis A. Kaplan on 4/2/2013) (mro) Modified on 4/5/2013 (mro). (Entered: 04/05/2013)

04/05/2013	<u>981</u>	STIPULATION AND ORDER: WHEREAS, on November 15, 2012, Chevron Corporation, the plaintiff is the above-captioned matter, issued a subpoena for the production of documents and communications from the Southern District of New York to non-party Orin Kramer for the above-captioned proceeding. Now, therefore it is hereby Stipulated, by and between, Chevron, Mr. Kramer, Donziger, and Camacho/Piaguaje that, to the extent there are documents subject to a claim of attorney-client privilege or work product protection by Donziger or Camacho/Piaguaje, Mr. Kramer may produce such documents to Chevron in order to avoid litigation regarding such assertion of privilege and/or work product, and Chevron shall not argue that such disclosure constitutes a waiver of any privilege or protection pursuant to Federal Rules of Evidence 502(d); and IT IS FURTHER STIPULATED that the production of any documents or the disclosure of any information by Mr. Kramer to Chevron shall not, pursuant to Federal Rule of Evidence 502(d); constitute a subject matter waiver of any privilege or protection; and IT IS FURTHER STIPULATED that any documents produced by Mr. Kramer pursuant to this stipulation may be designated "Confidential" pursuant to the protective order in effect in this action (Dkt. 723), except that Chevron reserves its right to challenge any such designation pursuant to paragraphs 13 and 14 of that order; and IT IS FURTHER STIPULATED that Chevron may use any document produced or testimony provided pursuant to this stipulation for any purpose subject to the terms, conditions and restrictions of the protective order in this action and further subject to any objections to the relevance, authenticity or admissibility of any document, all of which objections are expressly reserved. (Signed by Judge Lewis A. Kaplan on 4/2/2013) (mro) (Entered: 04/05/2013)
04/05/2013	<u>982</u>	RESPONSE in Opposition re: <u>968</u> MOTION Strike Chevron's Excessive and Irrelevant Experts.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1)(Mastro, Randy) (Entered: 04/05/2013)
04/08/2013	<u>983</u>	ORDER: The Court rules as follows with respect to the positions of the parties concerning depositions that are set forth in their joint letter to the Special Masters, dated April 5, 2013: With respect to each witness deposed who resides outside the geographic area within which the witness could be subpoenaed for trial in this Court and each witness listed as a deponent by both plaintiff and defendants (e.g., Centeno, Curipoma, Reyes, and Zambrano) the time permitted for examination shall be divided equally between plaintiff, on the one hand, and defendants, on the other hand, except that the parties, with the approval of the Special Master presiding, may agree or the Special Master presiding may rule otherwise. Depositions conducted in Spanish shall be subject to the same presumptive seven hour limit as those conducted in English except to the extent the parties agree in writing or the Special Master allows a longer duration. A Special Master shall preside in person over the depositions listed in paragraphs 5 through 7 set forth in the April 5 joint letter at pages 2-3 except to any extent that the relevant Special Master concludes otherwise. With respect to defendants' position stated in paragraph 5 on page 3 of the April 5 joint letter, the objection is overruled without prejudice to a renewed application in the event defendants agree that Donziger's deposition in the Section 1782 action is usable in this case to the extent that it would be usable had it been taken in this case. The defendants cannot appropriately be heard to seek to limit the length of the deposition in this case on the basis of the existence of the Section 1782 action deposition while preserving the right to resist use of the Section 1782 deposition in this case on the ground that it was taken in another action. In the event the non-settling defendants wish to designate additional fact witnesses for deposition in the event Chevron's claims against Stratus are dismissed, they shall do so within 48 hours following the entry of an order granting leave to dismiss those claims. (Signed by Judge Lewis A. Kaplan on 4/8/2013) (mro) (Entered: 04/08/2013)
04/08/2013	<u>984</u>	NOTICE OF APPEARANCE by Jefferson Eliot Bell on behalf of Chevron Corporation (Bell, Jefferson) (Entered: 04/08/2013)
04/08/2013	<u>985</u>	NOTICE OF APPEARANCE by Jeffrey David Coren on behalf of Chevron Corporation (Coren, Jeffrey) (Entered: 04/08/2013)
04/08/2013	<u>986</u>	NOTICE OF CHANGE OF ADDRESS by Jefferson Eliot Bell on behalf of Chevron Corporation. New Address: Gibson Dunn &Crutcher, LLP, 200 Park Ave, 47th Floor, New York, NY, USA 10166, (212) 351-4000. (Bell, Jefferson)



		(Entered: 04/08/2013)
04/08/2013	<u>987</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 4/5/13 re: Counsel writes to request a one week extension of Chevron's time to submit its reply papers in further support of its summary judgment motion, due today, up to and including 4/12/13. ENDORSEMENT: Granted nunc pro tunc as of 4/5/13. (Signed by Judge Lewis A. Kaplan on 4/8/2013) (mro) Modified on 4/10/2013 (mro). (Entered: 04/08/2013)
04/08/2013		Set/Reset Deadlines as to <u>744</u> MOTION for Partial Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT ON ALL CLAIMS, COUNTERCLAIMS AND AFFIRMATIVE DEFENSES, AND SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSE OF COLLATERAL ESTOPPE</i> . Replies due by 4/12/2013. (mro) (Entered: 04/08/2013)
04/08/2013	<u>988</u>	MEMORANDUM AND ORDER: For the foregoing reasons, as amplified in some respects by the March 28, 2013 order, the joint motion [DI 935] is granted to the extent that Chevron's action as against the Stratus Defendants and the counterclaims of the Stratus Defendants against Chevron are dismissed with prejudice and without costs or attorneys' fees, provided, however, that this dismissal will be vacated upon the filing, on or before April 12, 2013, of a written notice by any of Chevron and the Stratus Defendants that the Settlement Agreement has not become effective, and provided further that this Court retains continuing jurisdiction over Chevron and the Stratus Defendants as set forth in Section 4 of the Settlement Agreement. The motion is otherwise denied. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 4/08/2013) (ama) (Entered: 04/08/2013)
04/09/2013	<u>989</u>	ORDER: The Special Masters hereby are appointed, pursuant to Fed. R. Civ. P. 28(a)(1)(B), to administer oaths and take testimony at depositions in this case within the United States, and commissioned, pursuant to Fed. R. Civ. P. 28(b)(1)(D), to administer any necessary oath and take testimony at depositions in this case in foreign countries. (Signed by Judge Lewis A. Kaplan on 4/9/2013) (mro) (Entered: 04/09/2013)
04/09/2013	<u>990</u>	Letter addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 4/8/13 re: Counsel for the plaintiff writes in reply to the April 5 letter sent to the Court by the LAPs and Donziger defendants concerning the Settlement Agreement between Chevron and Stratus. Document filed by Chevron Corporation.(mro) (Entered: 04/09/2013)
04/09/2013	<u>991</u>	Letter addressed to Judge Lewis A. Kaplan from Craig Smyser and Matthew Werdegard dated 4/4/13 re: Counsel for Non-settling Defendants Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje and the Donziger Defendants requests that the Court enter the form stipulation attached hereto as Exhibit 1, with the inclusion of express language that the order does not address or approve any terms of the proposed Settlement Agreement and Mutual Release. (mro) (Entered: 04/09/2013)
04/09/2013	<u>992</u>	Letter addressed to Judge Lewis A. Kaplan from Craig Smyser and Matthew Werdegard dated 4/5/13 re: Counsel for Non-settling Defendants Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje and the Donziger Defendants in response to Mr. Mastro's letter of April 5, 2013. Counsel states that the Court should not and cannot approve the settlement agreement.(mro) (Entered: 04/09/2013)
04/09/2013	<u>993</u>	Letter addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 4/8/13 re: Counsel for Chevron writes in reply to the April 5 letter by the LAPs and Donziger defendants concerning the Settlement Agreement between Chevron and Stratus. (mro) (Entered: 04/09/2013)
04/09/2013	<u>994</u>	Letter addressed to Judge Lewis A. Kaplan from Randy M. Mastro dated 4/5/13 re: Counsel for Chevron writes in response to the April 4, 2013 letter sent by the LAPs and Donziger defendants. Chevron respectfully requests that the Court address and reject the frivolous accusations, and find the terms of the settlement proper as required by Rule 41 (a)(2). (mro) (Entered: 04/09/2013)

04/09/2013	995	SEALED DOCUMENT placed in vault.(nm) (Entered: 04/09/2013)
04/09/2013	<u>996</u>	ORDER: Unless requested to do so by the Court in a specific instance, counsel henceforth shall not send letters to the Court. All applications for relief shall be made by notice of motion or, if appropriate circumstances exist, see S.D.N.Y. Civ. R. 6.1 (d), brought on by order to show cause. Motions seeking extensions of time or leave to file memoranda in excess of the maximum length otherwise permitted shall be responded to, if at all, no later than three days after they are filed. Any replies to oppositions to such motions shall be filed the day after the opposition. The filing of Sur-replies is prohibited. Courtesy copies of papers filed electronically shall be (1) marked "Courtesy Copy" and (2) properly bound and shall include appropriate exhibit tabs and labels. They shall not be accompanied by any other correspondence. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 4/09/2013) (ama) (Entered: 04/09/2013)
04/09/2013	<u>999</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from John W. Kecker and Craig Smyser dated 3/28/2013 re: Accordingly, we are writing to advise that, unless circumstances change, neither Mr. Donziger nor Camacho and Piaguaje are going to be able to pay any bills submitted by Mr. Gitter or Judge Katz. ENDORSEMENT: Counsel and their clients, whose claims of financial hardship are undocumented, proceed at their own risk. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 4/09/2013) (ama) (Entered: 04/10/2013)
04/10/2013	<u>997</u>	ORDER: There is now pending before the Court a motion by Chevron Corporation for sanctions and other relief [DI 893]. At the time a schedule was set for the briefing of that motion, which was completed on April 5, 2013, the Court alerted counsel to the fact that an evidentiary hearing might be appropriate and, if so, that the Court would be available for that purpose in April and early May. Donziger's counsel responded that April was fine with him subject to travel plans he already had from April 27 through May 5. Counsel for Chevron and defendants Camacho and Payaguaje (the "LAP Representatives") raised no objection. The Court now has determined that an evidentiary hearing on certain issues pertinent to the motion could be helpful. Accordingly, it will hold such a hearing commencing at 9:30 a.m. on April 16, 2013. As Chevron is the movant, it shall proceed first. The taking of evidence will be limited to the following issues: Whether and to what extent Donziger, the LAP Representatives, and their respective U.S. counsel acted in good faith to produce documents that are responsive to Chevron's First Set of Requests for Production of Documents and that are located in Ecuador. Whether and to what extent Donziger, the LAP Representatives, and their respective U.S. counsel have acted in good faith to comply with this Court's order of February 13, 2013 [DI 787]. Whether and to what extent Donziger, the LAP Representatives, and their respective U.S. counsel acted improperly or in bad faith with respect to the commencement, prosecution, and disclosure or lack thereof of proceedings in Ecuador that culminated in Exhibit A to DI 734 and in relation to the delay of proceedings in this Court during the pendency of that Ecuadorian proceeding. Whether and to what extent Donziger, individually and through his U.S. counsel, has and has had the practical ability to obtain documents and information from the LAPs' Ecuadorian counsel, Luis Yanza, Selva Viva, and the Amazon Defense Front. Whether and to what extent the LAP Representatives, individually and through Donziger, Donziger's U.S. counsel, and their own U.S. counsel, have and have had the practical ability to obtain documents and information from the LAPs' Ecuadorian counsel, Luis Yanza, Selva Viva, and the Amazon Defense Front. Unless otherwise ordered, the Court will allocate up to the equivalent of three trial days for the hearing. It will be available for this purpose, if necessary in addition to April 16, on April 17, and until 1 pm on each of April 18 and 19. If the hearing is not concluded earlier and April 18 proves inconvenient because a deposition is scheduled that day, the Court will make itself available on the afternoon of April 22 in place of April 18. Absent a different agreement by the parties with respect to the division of the time, the plaintiff on the one hand and the defendants on the other shall divide the available time equally, with the clock running against the examining side during its questioning, whether on direct or cross-examination. The parties shall confer promptly and advise the Court by the close of business on April 12 of the identities of the witnesses they propose to call. Any witnesses who are attorneys that have appeared in this action shall appear to testify if requested to do so by an adversary although the Court of course expects counsel to cooperate

		and extend routine courtesies where appropriate. ( Evidentiary Hearing set for 4/16/2013 at 09:30 AM before Judge Lewis A. Kaplan.) (Signed by Judge Lewis A. Kaplan on 4/10/2013) (mro) Modified on 4/11/2013 (mro). (Entered: 04/10/2013)
04/10/2013		Set/Reset Deadlines: Deposition due by 4/18/2013. (mro) (Entered: 04/10/2013)
04/10/2013	<u>998</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from James K. Leader dated 3/28/13 re: Counsel writes to request the Court's clarification with respect to whether Your Honor intended to require Patton Boggs to produce documents related to the Judgment Trust as indicated in Specification 35. ENDORSEMENT: In view of Chevron's failures to seek revision of the Court's November 16, 2012 ruling with respect to Specification 35 and to respond to PB's letter of March 28, 2013, the March 15, 2013 Opinion (DI 905) (the "Opinion") is modified by deleting Specification 35 from the list of Specifications to which PB must respond pursuant to the Opinion. (Signed by Judge Lewis A. Kaplan on 4/10/2013) (mro) (Entered: 04/10/2013)
04/10/2013	<u>1000</u>	MOTION to Serve / <i>CHEVRON CORPORATION'S MOTION FOR LEAVE TO SERVE A SECOND DOCUMENT SUBPOENA ON AMAZON WATCH</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Mastro, Randy) (Entered: 04/10/2013)
04/11/2013	<u>1002</u>	STIPULATION OF VOLUNTARY DISMISSAL PURSUANT TO COURT ORDER OF APRIL 8, 2013: IT IS HEREBY STIPULATED AND AGREED by and between the undersigned that: the Dismissal Order satisfies the conditions precedent to the Settlement Agreement and makes the Agreement effective such that Chevron's claims against each of the Stratus Defendants and the counterclaims of Stratus Consulting, Inc. against Chevron are dismissed with prejudice; each party will bear its own costs and attorneys' fees; the Court shall retain continuing jurisdiction over Chevron and the Stratus Defendants as set forth in Section 4 of the Settlement Agreement. (Signed by Judge Lewis A. Kaplan on 4/11/2013) (mro) (Entered: 04/11/2013)
04/11/2013	<u>1003</u>	MEMO ENDORSEMENT denying <u>860</u> CHEVRON CORPORATION'S NOTICE OF MOTION TO DISMISS AND/OR STRIKE STRATUS CONSULTING, INC.'S COUNTERCLAIMS, OR IN THE ALTERNATIVE, MOTION FOR SUMMARY JUDGMENT. ENDORSEMENT: Denied as moot. So ordered. (Signed by Judge Lewis A. Kaplan on 4/11/2013) (mro) (Entered: 04/11/2013)
04/11/2013	<u>1004</u>	MOTION FOR COUNSEL TO BRING ELECTRONIC DEVICES INTO THE DANIEL PATRICK MOYNIHAN UNITED STATES COURTHOUSE FOR USE AT A PROCEEDING. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A)(Keker, John) (Entered: 04/11/2013)
04/11/2013	<u>1005</u>	MOTION for Counsel to bring Electronic Devices into the Daniel Patrick Moynihan United States Courthouse for use at a Proceeding. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit A)(Doyle, Tyler) (Entered: 04/11/2013)
04/12/2013	<u>1006</u>	REPLY MEMORANDUM OF LAW in Support re: <u>744</u> MOTION for Partial Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT ON ALL CLAIMS, COUNTERCLAIMS AND AFFIRMATIVE DEFENSES, AND SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSE OF COLLATERAL ESTOPPE</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 04/12/2013)
04/12/2013	<u>1007</u>	DECLARATION of Jason B. Stavers in Support re: <u>744</u> MOTION for Partial Summary Judgment – <i>CHEVRON CORPORATION'S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT ON ALL CLAIMS, COUNTERCLAIMS AND AFFIRMATIVE DEFENSES, AND SUMMARY JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSE OF COLLATERAL ESTOPPE</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 3650 to 3659, # <u>2</u> Exhibit 3660 to 3668, # <u>3</u> Exhibit 3669, Part 1, # <u>4</u> Exhibit 3669, Part 2, # <u>5</u> Exhibit 3670 to 3674, # <u>6</u> Exhibit 3675 to 3677, # <u>7</u> Exhibit 3678 to 3681)(Mastro, Randy) (Entered: 04/12/2013)

		04/12/2013)
04/12/2013	<u>1008</u>	RULE 56.1 STATEMENT. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 04/12/2013)
04/12/2013	<u>1009</u>	NOTICE OF APPEARANCE by Thomas Key Richards on behalf of Patton Boggs LLP (Richards, Thomas) (Entered: 04/12/2013)
04/12/2013	<u>1010</u>	MEMO ENDORSEMENT terminating <u>1004</u> MOTION FOR COUNSEL TO BRING ELECTRONIC DEVICES INTO THE DANIEL PATRICK MOYNIHAN UNITED STATES COURTHOUSE FOR USE AT A PROCEEDING. ENDORSEMENT: The Clerk shall terminate this application. (Signed by Judge Lewis A. Kaplan on 4/12/2013) (mro) Modified on 4/12/2013 (mro). (Entered: 04/12/2013)
04/12/2013	<u>1011</u>	MEMO ENDORSEMENT terminating <u>1005</u> Motion for Counsel to bring Electronic Devices into the Daniel Patrick Moynihan United States Courthouse for use at a Proceeding. ENDORSEMENT: The Clerk shall terminate this application. (Signed by Judge Lewis A. Kaplan on 4/12/2013) (mro) (Entered: 04/12/2013)
04/12/2013	<u>1012</u>	MEMORANDUM AND ORDER: The Court will permit Donziger and the LAP Representatives to submit a brief addressing the appealability of this order provided it is filed on or before April 22, 2013. If such a brief is submitted, Chevron may respond on or before May 6, 2013. Chevron's motions to compel Garr and Kohn are granted. The request for Section 1292(b) certification is denied. Decision is reserved on the request for a stay pending appeal. The documents shall be produced no later than May 11, 2013 absent a stay by this Court. (Signed by Judge Lewis A. Kaplan on 4/12/2013) (mro) Modified on 4/12/2013 (mro). (Entered: 04/12/2013)
04/12/2013		Set/Reset Deadlines: Brief due by 4/22/2013. (mro) (Entered: 04/12/2013)
04/12/2013		Set/Reset Deadlines: Responses to Brief due by 5/6/2013 (mro) (Entered: 04/12/2013)
04/12/2013	<u>1013</u>	NOTICE of Notice of Witnesses for Evidentiary Hearing. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Doyle, Tyler) (Entered: 04/12/2013)
04/12/2013	<u>1014</u>	MEMORANDUM OF LAW in Opposition re: <u>973</u> MOTION to Supplement the Summary Judgment Record with New Evidence re: <u>917</u> Memorandum of Law in Opposition to Motion, <i>Chevron's Motion for Partial Summary Judgment on All Claims, Counterclaims, and Affirmative Defenses, and Summary Judgment MOTION to Supplement the Summary Judgment Record with New Evidence re: 917</i> Memorandum of Law in Opposition to Motion, <i>Chevron's Motion for Partial Summary Judgment on All Claims, Counterclaims, and Affirmative Defenses, and Summary Judgment / CHEVRON CORPORATION'S MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS HUGO GERARDO CAMACHO NARANJO AND JAVIER PIAGUAJE PAYAGUAJES MOTION, JOINED BY THE DONZIGER DEFENDANTS, TO SUPPLEMENT THE SUMMARY JUDGMENT RECORD WITH NEW EVIDENCE</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 04/12/2013)
04/12/2013	<u>1015</u>	DECLARATION of Jason B. Stavers in Opposition re: <u>973</u> MOTION to Supplement the Summary Judgment Record with New Evidence re: <u>917</u> Memorandum of Law in Opposition to Motion, <i>Chevron's Motion for Partial Summary Judgment on All Claims, Counterclaims, and Affirmative Defenses, and Summary Judgment MOTION to Supplement the Summary Judgment Record with New Evidence re: 917</i> Memorandum of Law in Opposition to Motion, <i>Chevron's Motion for Partial Summary Judgment on All Claims, Counterclaims, and Affirmative Defenses, and Summary Judgment</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 3682, # <u>2</u> Exhibit 3683, # <u>3</u> Exhibit 3684, # <u>4</u> Exhibit 3685)(Mastro, Randy) (Entered: 04/12/2013)
04/12/2013	<u>1016</u>	NOTICE of Notice of Witnesses for Evidentiary Hearing re: <u>997</u> Order, Set Hearings,,,,,,,,,,,,,,,,,,,,, Document filed by Chevron Corporation. (Mastro,



		Randy) (Entered: 04/12/2013)
04/12/2013	<u>1017</u>	MOTION for Ethan D. Dettmer to Appear Pro Hac Vice. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Affidavit Declaration of Randy M. Mastro, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Text of Proposed Order, # <u>5</u> Certificate of Service)(Mastro, Randy) Modified on 4/15/2013 (bcu). Modified on 4/15/2013 (bwa). (Entered: 04/12/2013)
04/12/2013	<u>1018</u>	RESPONSE in Opposition re: <u>1000</u> MOTION to Serve / <i>CHEVRON CORPORATION'S MOTION FOR LEAVE TO SERVE A SECOND DOCUMENT SUBPOENA ON AMAZON WATCH.</i> Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Keker, John) (Entered: 04/12/2013)
04/12/2013	<u>1019</u>	MOTION for Protective Order <i>re Evidentiary Hearing</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Mastro, Randy) (Entered: 04/12/2013)
04/12/2013	<u>1022</u>	STIPULATION AND ORDER: IT IS HEREBY STIPULATED, by and between Chevron, Donziger, and Camacho/Piaguaje that, to the extent there are documents subject to an unresolved claim of attorney-client privilege or work product protection by Donziger or Camacho/Piaguaje, Partners In Health may produce such documents to Chevron in order to avoid litigation regarding such assertion of privilege and/or work product, and Chevron shall not argue that such disclosure constitutes a waiver of any privilege or protection pursuant to Federal Rule of Evidence 502(d); and IT IS FURTHER STIPULATED that the production of any documents or the disclosure of any information by Partners In Health to Chevron shall not, pursuant to Federal Rule of Evidence 502(d), constitute a subject matter waiver of any privilege or protection; and IT IS FURTHER STIPULATED that any documents produced by Partners In Health pursuant to this stipulation may be designated "Confidential" pursuant to the protective order in effect in this action (Dkt. 723), except that Chevron reserves its right to challenge any such designation pursuant to paragraphs 13 and 14 of that order; and IT IS FURTHER STIPULATED that Chevron may use any document produced or testimony provided pursuant to this stipulation for any purpose subject to the terms, conditions and restrictions of the protective order in this action and further subject to any objections to the relevance, authenticity or admissibility of any document, all of which objections are expressly reserved. (Signed by Judge Lewis A. Kaplan on 4/12/2013) (mro) (Entered: 04/15/2013)
04/14/2013	<u>1020</u>	MOTION for Extension of Time <i>to Respond to Chevron Corporation's Modified Subpoena</i> . Document filed by Patton Boggs LLP.(Leader, James) (Entered: 04/14/2013)
04/14/2013	<u>1021</u>	MEMORANDUM OF LAW in Support re: <u>1020</u> MOTION for Extension of Time <i>to Respond to Chevron Corporation's Modified Subpoena.</i> Document filed by Patton Boggs LLP. (Leader, James) (Entered: 04/14/2013)
04/15/2013		<b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>1017</u> MOTION for Ethan D. Dettmer to Appear Pro Hac Vice. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bwa)</b> (Entered: 04/15/2013)
04/15/2013	<u>1023</u>	MOTION to Compel THE LAP REPRESENTATIVES to PRODUCE THE EMAIL EXCHANGE ON OR ABOUT OCTOBER 9, 2012 BETWEEN PABLO FAJARDO AND JAROD STEWART OF THE SMYSER FIRM REFERENCED IN PARAGRAPH 9 OF THE STEWART DECLARATION (DKT. 951). Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 04/15/2013)
04/15/2013	<u>1024</u>	ORDER: I hereby authorize the attorney/technology consultant herein to bring the General Purpose Computing Device(s) listed herein into the Courthouse for use in trial or proceeding in the action entitled Chevron Corp. v. Donziger, et al. No. 11-civ-0691-LAK-JCF on April 15, 2013 in order to test the equipment. (Signed by Judge Lewis A. Kaplan on 4/15/2013) (mro) (Entered: 04/15/2013)

04/15/2013	<u>1025</u>	REPORT AND RECOMMENDATION re: <u>696</u> MOTION to Dismiss filed by Chevron Corporation. For the foregoing reasons, I recommend that the plaintiff's motion to dismiss (Docket no. 696) be granted and the defendants' counterclaims be dismissed. Objections to RR due by 5/2/2013. (Signed by Magistrate Judge James C. Francis on 4/15/2013) Copies Mailed By Chambers. (lmb) Modified on 4/15/2013 (lmb). (Entered: 04/15/2013)
04/15/2013	<u>1026</u>	NOTICE OF APPEARANCE by Reed Michael Brodsky on behalf of Chevron Corporation (Brodsky, Reed) (Entered: 04/15/2013)
04/15/2013	<u>1027</u>	NOTICE OF CHANGE OF ADDRESS by Reed Michael Brodsky on behalf of Chevron Corporation. New Address: Gibson, Dunn & Crutcher LLP, 200 Park Avenue, 47th Floor, New York, New York, USA 10166, 212-351-4000. (Brodsky, Reed) (Entered: 04/15/2013)
04/15/2013	<u>1028</u>	RESPONSE in Opposition re: <u>1019</u> MOTION for Protective Order <i>re Evidentiary Hearing. Joint Response in Opposition to Chevron Motion for Protective Order Prohibiting Defendants from Calling Randy Mastro Anne Champion or the Chevron Officers as Witnesses at the Sanctions Evidentiary Hearing Dkt 1019.</i> Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Doyle, Tyler) (Entered: 04/15/2013)
04/15/2013	<u>1029</u>	REPLY MEMORANDUM OF LAW in Support re: <u>916</u> MOTION to Strike Document No. <u>746</u> <i>Affidavits Accompanying Motion for Partial Summary Judgment.</i> MOTION to Strike Document No. <u>746</u> <i>Affidavits Accompanying Motion for Partial Summary Judgment.</i> Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 04/15/2013)
04/15/2013	<u>1030</u>	<b>FILING ERROR – DEFICIENT DOCKET ENTRY –</b> DECLARATION of Ty Doyle in Support re: <u>916</u> MOTION to Strike Document No. <u>746</u> <i>Affidavits Accompanying Motion for Partial Summary Judgment.</i> MOTION to Strike Document No. <u>746</u> <i>Affidavits Accompanying Motion for Partial Summary Judgment.</i> Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, Part 1, # <u>3</u> Exhibit B, Part 2)(Doyle, Tyler) Modified on 4/16/2013 (db). (Entered: 04/15/2013)
04/15/2013	<u>1031</u>	MOTION to Compel DEFENDANTS to PRODUCE DOCUMENTS AND OTHER MATERIALS FOR THE SANCTIONS EVIDENTIARY HEARING SCHEDULED TO BEGIN ON APRIL 16, 2013. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit)(Mastro, Randy) (Entered: 04/15/2013)
04/15/2013	<u>1032</u>	MEMORANDUM OF LAW in Opposition re: <u>959</u> MOTION for Reconsideration re: <u>905</u> Memorandum & Opinion,,,,, <i>Memorandum of Law in Support of Defendants' Joint Motion to Reconsider the Court's March 15, 2013 Order Regarding Chevron's Subpoena to Patton Boggs.</i> MOTION for Reconsideration re: <u>905</u> Memorandum & Opinion,,,,, <i>Memorandum of Law in Support of Defendants' Joint Motion to Reconsider the Court's March 15, 2013 Order Regarding Chevron's Subpoena to Patton Boggs.</i> <b>CHEVRON CORPORATION'S OPPOSITION TO DEFENDANTS' JOINT MOTION TO RECONSIDER THE COURT'S MARCH 15, 2013 ORDER REGARDING CHEVRON'S SUBPOENA TO PATTON BOGGS, DKT. 905.</b> Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 04/15/2013)
04/15/2013	<u>1033</u>	ORDER: I hereby authorize the attorneys listed herein to bring the General Purpose Computing Devices listed herein into the Courthouse for use in an evidentiary proceeding in the action entitled Chevron v. Donziger, et al., No 11-cv-00691(LAK), which proceeding begins on April 16, 2013, and is anticipated to conclude on or before April 22, 2013. (Signed by Judge Lewis A. Kaplan on 4/15/2013) (mro) (Entered: 04/16/2013)
04/16/2013		<b>***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Tyler Geoffrey Doyle to RE-FILE Document <u>1030</u> Declaration in Support of Motion. ERROR(S): No signature or s/. (db)</b> (Entered: 04/16/2013)

04/16/2013	<u>1034</u>	DECLARATION of Ty Doyle in Support re: <u>916</u> MOTION to Strike Document No. <u>746</u> Affidavits Accompanying Motion for Partial Summary Judgment. MOTION to Strike Document No. <u>746</u> Affidavits Accompanying Motion for Partial Summary Judgment.. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, part 1, # <u>3</u> Exhibit B, part 2)(Doyle, Tyler) (Entered: 04/16/2013)
04/16/2013	<u>1035</u>	MOTION for Protective Order. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A)(Little, Jan) (Entered: 04/16/2013)
04/16/2013	<u>1036</u>	MEMORANDUM OF LAW in Opposition re: <u>1020</u> MOTION for Extension of Time to Respond to Chevron Corporation's Modified Subpoena.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A)(Mastro, Randy) (Entered: 04/16/2013)
04/16/2013		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Contempt Hearing with witnesses held on 4/16/2013. (ja) (Entered: 04/23/2013)
04/17/2013	<u>1037</u>	<b>FILING ERROR – DEFICIENT DOCKET ENTRY –</b> MOTION for Leave to File <i>DECLARATION OF ANNE CHAMPION IN FURTHER SUPPORT OF OPPOSITION TO DEFENDANTS' JOINT MOTION TO RECONSIDER MARCH 15, 2013 ORDER ON SUBPOENA TO PATTON BOGGS</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> MOTION FOR LEAVE TO FILE DECLARATION OF ANNE CHAMPION IN FURTHER SUPPORT OF OPPOSITION TO MOTINO TO RECONSIDER (DKT 905), # <u>2</u> DECLARATION OF ANNE CHAMPION IN FURTHER SUPPORT OF OPPOSITION TO MOTINO TO RECONSIDER (DKT 905))(Mastro, Randy) Modified on 4/17/2013 (db). (Entered: 04/17/2013)
04/17/2013		<b>***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Randy M. Mastro to RE-FILE Document <u>1037</u> MOTION for Leave to File DECLARATION OF ANNE CHAMPION IN FURTHER SUPPORT OF OPPOSITION TO DEFENDANTS' JOINT MOTION TO RECONSIDER MARCH 15, 2013 ORDER ON SUBPOENA TO PATTON BOGGS. ERROR(S): Supporting Documents are filed separately, each receiving their own document #. (db)</b> (Entered: 04/17/2013)
04/17/2013	<u>1038</u>	MOTION for Leave to File Declaration of Anne Champion in Further Support of Chevron Corporation's Opposition to Defendants' joint Motion to Reconsider Order Regarding Subpoena to Patton Boggs. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Motion for Leave to File Declaration of Anne Champion in Further Support of Opposiiton to Joint Motion to Reconsider Order Regarding Patton Boggs Subpoena)(Mastro, Randy) (Entered: 04/17/2013)
04/17/2013	<u>1039</u>	DECLARATION of Anne Champion in Support re: <u>1038</u> MOTION for Leave to File Declaration of Anne Champion in Further Support of Chevron Corporation's Opposition to Defendants' joint Motion to Reconsider Order Regarding Subpoena to Patton Boggs.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 3686, # <u>2</u> Exhibit 3687)(Mastro, Randy) (Entered: 04/17/2013)
04/17/2013	<u>1040</u>	MOTION for Extension of Time to respond to Chevron's Motions to Compel. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger.(Werdegar, Matthew) (Entered: 04/17/2013)
04/17/2013	<u>1041</u>	ORDER denying <u>1040</u> Motion for Extension of Time. (Signed by Judge Lewis A. Kaplan on 4/17/2013) (Kaplan, Lewis) (Entered: 04/17/2013)
04/17/2013	<u>1042</u>	RESPONSE in Opposition re: <u>1023</u> MOTION to Compel THE LAP REPRESENTATIVES to PRODUCE THE EMAIL EXCHANGE ON OR ABOUT OCTOBER 9, 2012 BETWEEN PABLO FAJARDO AND JAROD STEWART OF THE SMYSER FIRM REFERENCED IN PARAGRAPH 9 OF THE STEWART DECLARATION (DKT. 951). MOTION to Compel THE LAP REPRESENTATIVES to PRODUCE THE EMAIL EXCHANGE ON OR ABOUT OCTOBER 9, 2012 BETWEEN PABLO FAJARDO AND JAROD STEWART OF THE SMYSER FIRM REFERENCED IN PARAGRAPH 9 OF THE

		STEWART DECLARATION (DKT. 951). <i>Defendants Hugo Gerado Camacho Naranjo and Javier Piguaje Payaguaje's Opposition to Chevron's Motion.</i> Document filed by Hugo Gerardo Camacho Naranjo. (Doyle, Tyler) (Entered: 04/17/2013)
04/17/2013	<u>1043</u>	DECLARATION of S. Alyssa Young in Support re: <u>1020</u> MOTION for Extension of Time to Respond to Chevron Corporation's Modified Subpoena.. Document filed by Patton Boggs LLP. (Attachments: # <u>1</u> Exhibit A)(Young, S. Alyssa) (Entered: 04/17/2013)
04/17/2013	<u>1044</u>	RESPONSE in Opposition re: <u>1031</u> MOTION to Compel DEFENDANTS to PRODUCE DOCUMENTS AND OTHER MATERIALS FOR THE SANCTIONS EVIDENTIARY HEARING SCHEDULED TO BEGIN ON APRIL 16, 2013.. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Doyle, Tyler) (Entered: 04/17/2013)
04/17/2013	<u>1045</u>	MEMO ENDORSEMENT on re: <u>1040</u> MOTION for Extension of Time to respond to Chevron's Motions to Compel filed by Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger, Hugo Gerardo Camacho Naranjo, Steven Donziger. ENDORSEMENT: This motion is entirely unnecessary. As movants' counsel are very well aware, Donziger's counsel suggested to the Court during the examination of Mr. Stewart this morning that all of the emails that are the subject of both of Chevron's motions be provided to the Court for in camera review and that "after lunch or sometime we can finish this today if he is the last witness, you look at the documents,...make a decision about what is going to happen, and if Mr. Stewart or Mr. Smyser needs to testify further about them, whatever, we can do it today rather than come back tomorrow if that meets with the court's approval." Tr., Apr. 17, 2013, at 269-70. In order to accommodate Donziger's counsel, and without objection from the LAP Representatives' counsel, documents were furnished in camera over the lunch hour with this goal in view. Following the luncheon recess, and well before this motion for an extension was filed the Court ruled that any privilege with respect to the chain of two emails dated October 9, 2012--the subject of the first of Chevron's two motions (DI 1023)--had been waived by the reliance of defendants on counsel's accounts of the substance of those email communications while at the same time resisting production of the mails themselves. That motion, moreover, was decided without reaching the question whether any otherwise applicable privilege was vitiated by the crime-fraud exception. Id., at 276. In view of the foregoing, the motion for an extension of time with respect to Chevron's motion to compel the production of the October 9, 2012 e-mail chain (DI 1023) is moot. Moreover, in view of the fact that it was decided without reaching the crime-fraud issue-- the presence of which is the only basis cited as warranting an extension of time to respond--there was absolutely no basis for granting an extension. The motion seeks an extension also with respect to Chevron's motion (DI 1031) to compel the production of certain other documents. At least some of those already have been provided to the Court for in camera inspection. These have been produced to Chevron without waiver under Rule 502, also in order to facilitate a ruling as the earliest possible moment. Once again, the sole basis for the requested extension is counsel's claimed need for more time in order to respond to the crime-fraud allegations, DI 1040, at 1, this despite the fact that the first ground on which Chevron seeks disclosure is the contention that defendants placed the contents of those communications in issued and thereby waived any otherwise applicable claim of privilege. In the circumstances, this aspect of the motion is denied as well, albeit without prejudice to renewal during tomorrow's proceedings. (Signed by Judge Lewis A. Kaplan on 4/17/2013) (mro) Modified on 4/19/2013 (mro). (Entered: 04/18/2013)
04/17/2013		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Contempt Hearing with witnesses held on 4/17/2013. (ja) (Entered: 04/23/2013)
04/18/2013	<u>1046</u>	MEMORANDUM OF LAW in Opposition re: <u>1035</u> MOTION for Protective Order.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit A)(Mastro, Randy) (Entered: 04/18/2013)



04/18/2013		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Contempt Hearing with witnesses held on 4/18/2013. Judge's Decision: Reserved. (ja) (Entered: 04/23/2013)
04/19/2013	<u>1047</u>	ORDER: Plaintiff shall show cause, on or before April 25, 2013, why its motion to compel [DI 854] should not be denied as moot in light of the materials submitted in connection with DI 973. (Signed by Judge Lewis A. Kaplan on 4/19/2013) (mro) (Entered: 04/19/2013)
04/19/2013	<u>1048</u>	MEMO ENDORSEMENT granting <u>1019</u> Motion for Protective Order. ENDORSEMENT: Motion granted for reasons stated on the record April 16, 2013. (Signed by Judge Lewis A. Kaplan on 4/19/2013) (mro) Modified on 4/19/2013 (mro). (Entered: 04/19/2013)
04/19/2013	<u>1049</u>	MEMO ENDORSEMENT disposing <u>1023</u> Motion to Compel. ENDORSEMENT: Motion disposed of as indicated on the record during 4/16–18/2013 hearing. (Signed by Judge Lewis A. Kaplan on 4/19/2013) (mro) (Entered: 04/19/2013)
04/19/2013	<u>1050</u>	MEMO ENDORSEMENT disposing of and denying as moot <u>1031</u> Motion to Compel. ENDORSEMENT: Motion disposed of in major part indicated on record during 4/16–18/13 hearing and in all other respects denied as moot. (Signed by Judge Lewis A. Kaplan on 4/19/2013) (mro) (Entered: 04/19/2013)
04/19/2013	<u>1051</u>	MEMO ENDORSEMENT denying <u>1000</u> Motion to Serve a Second Document Subpoena on Amazon Watch. ENDORSEMENT: Magistrate Judge Cousins in the Northern District of California recently quashed a subpoena served by Chevron on Amazon Watch on the ground, among others, that the subpoena was overbroad but, subject to an important qualification, granted Chevron leave to issue new subpoenas by today. The important qualification was the Magistrate Judge's statement that he did "not intend...to alter Judge Kaplan's schedule and defers to his case management deadlines regarding the appropriateness of Chevron's serving another, more tailored subpoena to Amazon Watch." DI 1000, at 10. Chevron therefore brought this motion for leave to serve a second subpoena on Amazon Watch in the California proceeding. The essence of Chevron's problem is of its own making. The law in the Ninth Circuit, notably the Perry case, was relatively clear when Chevron served the first Amazon Watch subpoena. By framing the subpoena as broadly as it did, it took its chances of the result reached by Magistrate Judge Cousins. Nor did it seek to modify its first subpoena to Amazon Watch during the pendency of the extensive proceedings on the motion to quash in the California district court despite the approach and then expiration of the deadline for the service of document requests in this action and despite earlier litigation in this Court concerning the timeliness of the service of the first Amazon Watch subpoena. See DI 819. Thus, while Chevron is free to seek review of the Magistrate Judge's ruling with respect to the first subpoena and to make whatever arguments and suggestions it thinks appropriate to the California district court, leave to serve another one is denied. In all the circumstances, the motion [DI 1000] is denied. (Signed by Judge Lewis A. Kaplan on 4/19/2013) (mro) Modified on 4/23/2013 (mro). (Entered: 04/19/2013)
04/19/2013	<u>1052</u>	MEMO ENDORSEMENT denying <u>968</u> Motion to Strike Chevron's Excessive and Irrelevant Experts. ENDORSEMENT: The motion (DI 968) is denied substantially for the reasons set forth in plaintiff's opposition. Without setting forth in extenso all of the grounds, the Court notes the following: 1. The motion is premature. 2. Movants have made no serious effort—in their four page submission with respect to 35 different witnesses—to address the question whether the testimony of the particular experts in question would be admissible at trial. Their failure is aggravated by the fact that they have attached to their motion 35 exhibits totaling several hundred pages without even providing a list of which expert's report is which exhibit, thus greatly increasing the burden on the Court. It is further aggravated by the movants' having provided the Court, apart from the electronic version of their motion, only with a hard copy or copies of their papers that are unbound, and lack labels or exhibit tabs or markers. In other words, counsel has simply dumped a large pile of paper and, in the case of the electronic version, a large set of digital files on the Court without making the slightest effort to facilitate reference to relevant material. The Court is not obliged to tolerate with such behavior. 3. What movants term the "Count 9 Topics" remain in this case by virtue

		of their affirmative defenses of collateral estoppel and their own concession that, in order to succeed on a collateral estoppel defense based on a foreign judgment, that judgment must be entitled to recognition and enforcement here. See <i>Chevron Corp. v Donziger</i> , 886 F. Supp.2d 235, 278 (S.D.N.Y. 2012) (citing DI 450 (Defs.' Mem at 1). This ruling is without prejudice to well supported applications at an appropriate time. (Signed by Judge Lewis A. Kaplan on 4/19/2013) (mro) Modified on 4/19/2013 (mro). (Entered: 04/19/2013)
04/19/2013	<u>1053</u>	MEMO ENDORSEMENT granting <u>973</u> Motion to Supplement the Summary Judgment Record with New Evidence. ENDORSEMENT: Defendants move [DI 973] to supplement their evidence in opposition to Chevron's motion for partial summary judgment by filing a declaration of former Judge Nicolas Zambrano and certain other materials. Chevron opposes the motion. It contends, inter alia, that the declaration may not properly be considered because (1) defendants have not shown that Mr. Zambrano is prepared to testify in this action at all and, even if he were, (2) many of the statements contained in the declaration would be inadmissible. Chevron's first argument, whatever its merit in different circumstances or at a later point in this litigation, is not persuasive right now. At least as far as the record discloses, there has been no clear statement from the defendants or Mr. Zambrano, one way or the other, as to whether Mr. Zambrano will give a deposition or seek to testify at any trial. The second argument is misdirected. Evidence in support of and in opposition to motions for summary judgment must be such that it would be admissible at trial. Chevron's evidentiary objection is noted, but the existence of that objection does not bear on whether the declaration should be filed. Accordingly, defendants' motion [DI 973] is granted without prejudice to (a) a motion to strike the declaration and other evidence should it become apparent that Mr. Zambrano will not testify, and (b) Chevron's evidentiary objections to the evidence, which will be considered in connection with the summary judgment motion to the extent they are material to its disposition. As this motion grants defendants the relief they seek, there is no need to put them to the unnecessary expense of preparing and filing reply papers, assuming they otherwise would have been disposed to do so, or await any reply papers they might file before ruling on it. (Signed by Judge Lewis A. Kaplan on 4/19/2013) (mro) Modified on 4/19/2013 (mro). Modified on 4/22/2013 (mro). (Entered: 04/19/2013)
04/19/2013	<u>1054</u>	MOTION for Leave to File <u>1</u> REPLY MEMORANDUM TO CHEVRON'S OPPOSITION [DKT. 1046] AND <u>2</u> REPLY MEMORANDUM. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger.(Little, Jan) (Entered: 04/19/2013)
04/22/2013	<u>1055</u>	MEMO ENDORSEMENT denying <u>1054</u> DONZIGER DEFENDANTS' <u>1</u> MOTION FOR LEAVE TO FILE REPLY MEMORANDUM TO CHEVRON'S OPPOSITION [DKT. 1046] AND <u>2</u> REPLY MEMORANDUM. ENDORSEMENT: This filing by the Donziger Defendants asserts that Chevron's counsel mischaracterized or uttered falsehoods about (a) the contents of a recent motion by Donziger, (b) the Court's April 8 order, and (c) a January 17, 2013 email. As all three of these papers are well known to the Court, which in fact wrote the April 8 order just 14 days ago, the present filing serves no purpose beyond venting its authors' spleen at opposing counsel. This is just the latest example of incivility and bickering among counsel that does no credit to any of them on either side. The present motion [DI 1054] is denied. Counsel proceed in this vein at their peril. (Signed by Judge Lewis A. Kaplan on 4/22/2013) (mro) Modified on 4/23/2013 (mro). (Entered: 04/22/2013)
04/22/2013	<u>1056</u>	MEMORANDUM OF LAW re: <u>1012</u> Order,, <i>Concerning Appealability of the Court April 12 2013 Order Compelling Discovery From Garr and Kohn</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 04/22/2013)
04/22/2013	<u>1057</u>	DECLARATION of Laura J. Garr in Support re: <u>1056</u> Memorandum of Law. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 04/22/2013)
04/22/2013	<u>1058</u>	SPECIAL MASTERS ORDER NO. 3: Except to the extent the relevant Special Master directs otherwise, the following ground rules shall apply to all depositions supervised by a Special Master. Depositions scheduled to occur in Lima, Peru will

		<p>be addressed by separate order. To ensure seven hours of actual testimony per day, depositions will commence at 9:00 a.m. sharp, with a 15 minute break in the morning, a 45 minute break for lunch, and a 15 minute break in the afternoon. Counsel should be prepared to arrive early and stay late to address any issues that do not require the presence of the witness. There shall be no speaking objections in the presence of the witness: objections shall be limited to "objection, form"; "objection, relevance"; "objection, privilege"; etc. If counsel object on privilege grounds to and instruct a witness to refrain from answering a particular question, the objection will be addressed, if practical, at the next break, or the witness will be asked to leave the deposition room, and the objection will be addressed by the Special Master at that point. To the extent film clips or audio recordings will be used in a given deposition, counsel shall ensure that each such clip or recording is accompanied by an official transcript (with English translation where required). Such transcripts should be marked as sub-exhibits to the clip or recording to which they relate. If the clip is used to describe action or inaction rather than speech content, counsel should, through questioning, elicit all the relevant action/inaction, in part to ensure that any reader of the transcript will understand the context of the questions being asked. Counsel are directed to ensure that a printer and internet access are available in the Special Master's break-out room. Counsel hosting the deposition shall further ensure that the court reporter has the ability to print portions of the transcript if requested to do so by the Special Master. To the extent a given witness is represented by counsel who have not appeared in this matter, counsel for Chevron is directed to serve a copy of this Order on the witness's counsel as far in advance of the deposition date as is practicable. (Signed by Special Master Theodore H. Katz and Special Master Max Gitter on 4/22/2013) (mro) (Entered: 04/23/2013)</p>
04/23/2013	<u>1059</u>	<p>MEMO ENDORSEMENT denying <u>1038</u> Motion for Leave to File Declaration of Anne Champion in Further Support of Chevron Corporation's Opposition to Defendants' joint Motion to Reconsider Order Regarding Subpoena to Patton Boggs. ENDORSEMENT: In the interests of concluding the litigation of the motion for reconsideration, and consistent with S.D.N.Y. Civ. R. 6.3 (which prohibits the filing of affidavits on a motion for reconsideration or reargument absent direction by the court), the declarations will not be considered on the motion for reconsideration. The motion therefore is denied. (Signed by Judge Lewis A. Kaplan on 4/23/2013) (mro) (Entered: 04/23/2013)</p>
04/23/2013	<u>1060</u>	<p>MEMO ENDORSEMENT denying <u>1035</u> Motion for Protective Order. ENDORSEMENT: The fact that Donziger was deposed extensively in the Section 1782 proceeding does not warrant restricting his deposition in this case to one as opposed to three days. Donziger is a central and perhaps the central figure in this dispute. The 1782 deposition was taken beginning in late 2010 and concluding in or about late January 2011. Since that time, there have been many highly pertinent events, including among other things the rendition of the judgment in Ecuador. In addition, a great deal of evidence—including evidence relating directly to Donziger—has come to light only recently including, but not limited to, the recently filed declarations of former judge Guerra, Messrs. Reyes, Beltman and Bogart, and Ms. Maest. This is a basis for denying this motion that is entirely independent of the Court's April 8 order. The motion [DI 1035] is denied. (Signed by Judge Lewis A. Kaplan on 4/23/2013) (mro) (Entered: 04/23/2013)</p>
04/23/2013	<u>1061</u>	<p>NOTICE OF APPEARANCE by Avi Weitzman on behalf of Chevron Corporation (Weitzman, Avi) (Entered: 04/23/2013)</p>
04/23/2013	<u>1062</u>	<p>ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Theodore H. Katz and Max Gitter dated 4/22/2013 re: We write to make two requests relating to Your Honor's Order appointing us as Special Masters (DI 942). We jointly request that the Order be clarified/modified to permit both Special Masters to avail themselves of the assistance of Mr. Ormand. Clearly Gottlieb has agreed to reduce Mr. Omand's hourly rate, solely for this matter, to \$630/hour. We jointly request such authorization for travel to Lima, Denver, and San Francisco, as well as lodging and meals in those locations. Clearly Gottlieb has agreed to limit its disbursement charge to coach fare in each instance. ENDORSEMENT: Granted. (Signed by Judge Lewis A. Kaplan on 4/23/2013) (tro) (Entered: 04/23/2013)</p>

04/24/2013	<u>1063</u>	ORDER denying <u>744</u> Motion for Partial Summary Judgment. Plaintiff Chevron Corporation has moved for partial summary judgment as to liability and dismissing certain affirmative defenses and counterclaims asserted by defendants (DI 744) and, in the alternative, for the entry of an order, pursuant to Fed. R. Civ. P. 56(g), "stating any material fact...that is not genuinely in dispute and treating the fact as established in the case" (DI 745, at 25). Insofar as the motion seeks partial summary judgment, it is denied (a) as to the Donziger Defendants Camacho and Piaguaje without prejudice and with leave to renew after the conclusion of the discovery period or at such other time as the Court may permit, (b) as to the Stratus Defendants on the ground that the motion has been mooted by the Rule 41 dismissal of the claims between and among Chevron and the Status Defendants. The alternative request for an order under Rule 56(g) remains under advisement. In the event Chevron seeks to renew the motion, it first shall seek a conference with the Court so that the Court may discuss with the parties how to avoid or minimize the submission of additional papers.. (Signed by Judge Lewis A. Kaplan on 4/24/2013) (mro) Modified on 4/25/2013 (mro). (Entered: 04/24/2013)
04/24/2013	<u>1064</u>	ORDER granting in part and denying in part <u>1020</u> Motion for Extension of Time. Patton Boggs LLP ("PB") moves to extend the times provided by the Court's March 15, 2013 order [DI 905] for completion of the production of documents and for furnishing the final installment of its rolling privilege log to June 3 and June 10, respectively. This is based on its assertion that it was reviewing documents at a rate of 4,000 to 5,000 per day at the time the motion was filed. PB admits that, "[a]s with any complex, large scale review, the rate at which documents are being reviewed has increased steadily" for a variety of reasons. Thus, there is every reason to conclude that the rate has increased since the time the motion was filed ten days ago and will continue to increase. This implies that the June 3 and June 10 proposed dates, which are based explicitly on the 4,000 to 5,000 per day review rate actually overstate the amount of time needed even if no additional resources are devoted to the task. Moreover, PB has not suggested that it cannot increase the rate even more by devoting some additional resources to the task. In all the circumstances, PB's motion for an extension of time [DI 1020] is granted to the extent that (a) production of all responsive documents as to which attorney-client privilege or opinion work product is not claimed shall be completed by May 15, 2013, and (b) the final installment of the final privilege log shall be produced no later than May 22, 2013. It is denied in all other respects. (Signed by Judge Lewis A. Kaplan on 4/24/2013) (mro) (Entered: 04/24/2013)
04/24/2013	<u>1065</u>	MOTION to Quash Notice of Deposition of Edward Scott. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Mastro, Randy) (Entered: 04/24/2013)
04/24/2013	<u>1066</u>	DECLARATION of Edward B. Scott II in Support re: <u>1065</u> MOTION to Quash Notice of Deposition of Edward Scott.. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 04/24/2013)
04/24/2013	<u>1067</u>	MOTION to Quash Deposition Notice of John Watson. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Mastro, Randy) (Entered: 04/24/2013)
04/24/2013	<u>1068</u>	DECLARATION of John S. Watson in Support re: <u>1067</u> MOTION to Quash Deposition Notice of John Watson.. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 04/24/2013)
04/24/2013	<u>1069</u>	MOTION to Quash Notice of Deposition of Kroll, Inc.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Mastro, Randy) (Entered: 04/24/2013)
04/25/2013	<u>1070</u>	ORDER: There is a motion pending in 10 MC 0002 to hold defendant Donziger in civil contempt on the ground that he failed to produce, pursuant to subpoena and court order, certain documents said to be in the personal possession or control of Laura Garr, who in turn is said to be under Donziger's practical control. Ms. Garr allegedly has declined to turn the documents over to Donziger for production pursuant to the subpoena and this Court's order. Represented in that regard by Donziger's counsel, she seeks to justify that position on the basis of protection of a claim of privilege or work product of the Lago Agrio Plaintiffs ("LAPs"). In addition, this Court on April 12, 2013 granted a motion in 11 Civ. 0691 to compel



		<p>Ms. Garr and Joseph Kahn and his law firm (collectively, "Kohn") to produce documents pursuant to subpoenas served upon them in that action over claims of privilege and work product, also made on behalf of the LAPs. The documents that are the subject of that order insofar as it is directed to Ms. Garr appear to be the same as those implicated by the contempt motion in 10 MC 0002. The Court assumes that both Ms. Garr and Kohn have provided Chevron with privilege logs. It appears to the Court that the dispute regarding the Garr documents might well be resolved entirely, or at least narrowed, if counsel to Chevron were permitted to view the allegedly privileged documents without prejudice to the position Ms. Garr has asserted on behalf of the LAPs. The same may well be true with respect to the Kohn documents. It may well be, for example, that Chevron, having seen the documents, may conclude that it need not press its demands for some or all of them. The proposed procedure was employed to good effect during the recent evidentiary hearing in 11 Civ. 0691. Accordingly, counsel for all of the parties to these two matters shall meet and confer, on or before May 3, 2013 in order to explore these possibilities. They shall report to the Court by joint, non-argumentative letter and provide the Court with copies of any privilege logs that have been served on or before May 6, 2013. Should those concerned reach any helpful agreement, the Court would entertain an application for an appropriate Fed. R. Evid. 502(d) order. Further, the parties shall furnish the Court, on or before May 6, 2013, with a copy of each privilege log served with respect to the Garr and Kohn subpoenas so that the Court may make an informed judgment as to whether to conduct an in camera inspection of any documents as to which privilege or work product protection has been claimed. In the circumstances, the date for production of documents fixed by the April 12, 2013 order in 11 Civ. 0691 is extended to and including May 15, 2013. (Signed by Judge Lewis A. Kaplan on 4/25/2013) (mro) (Entered: 04/25/2013)</p>
04/25/2013	<u>1071</u>	<p>MEMO ENDORSEMENT denying <u>916</u> Motion to Strike Document No. 746 Affidavits Accompanying Motion for Partial Summary Judgment. ENDORSEMENT: Defendants move to strike the affidavit of Alberto Guerra Bastidas and the affidavits of Messrs. Callejas, Racines, Campuzano and Carvajal "that Chevron submitted in support of its motion for partial summary judgment." They argue that "the Guerra affidavit was purchased by Chevron," that all four "affidavits contain [some allegedly] inadmissible hearsay," and that Chevron improperly failed to disclose the affidavits of Messrs. Callejas, Racines, Campuzano and Carvajal during discovery. On April 24, 2013, the Court denied Chevron's motion, insofar as it sought partial summary judgment against the remaining defendants, "without prejudice and with leave to renew after the conclusion of the discovery period or at such other time as the Court may permit." The Court reserved judgment as to so much of the motion as seeks an order, pursuant to Fed. R. Civ. P. 56(g), "stating any material fact...that is not genuinely in dispute and treating the fact as established in the case." While the motion for partial summary judgment may be renewed, the motion to strike is moot unless and until (a) the motion is renewed, and (b) the renewed motion relies on these affidavits. The Court will rule on defendants' contentions as to the admissibility and utility of these affidavits in connection with any ruling on Chevron's alternative request for entry of a Rule 56(g) order to the extent the affidavits prove material for that purpose. Accordingly, the present motion to strike [DI 916] is denied without prejudice to the extent indicated above. (Signed by Judge Lewis A. Kaplan on 4/25/2013) (mro) Modified on 4/25/2013 (mro). (Entered: 04/25/2013)</p>
04/25/2013	<u>1072</u>	<p>ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Specific Non-Dispositive Motion/Dispute: DI#1065 Chevron's mot. for protective order; DI#1067 Chevron's mot. for protective order; DI#1069 Chevron's mot. for protective order. Referred to Magistrate Judge James C. Francis. Motions referred to James C. Francis. (Signed by Judge Lewis A. Kaplan on 4/25/2013) (mro) (Entered: 04/25/2013)</p>
04/25/2013	1073	<p>SEALED DOCUMENT placed in vault.(nm) (Entered: 04/25/2013)</p>
04/25/2013	<u>1074</u>	<p>RESPONSE in Support re: <u>854</u> MOTION to Compel LAP REPRESENTATIVES AND DONZIGER DEFENDANTS to PRODUCE DOCUMENTS AND RECORDINGS OF ALLEGED INTERACTIONS BETWEEN CHEVRON AND</p>

		POTENTIAL WITNESSES. <i>PLAINTIFF CHEVRON CORPORATION'S RESPONSE TO THIS COURT'S ORDER (DI 1047) TO SHOW CAUSE WHY CHEVRON'S MOTION TO COMPEL [DI 854] SHOULD NOT BE DENIED AS MOOT IN LIGHT OF THE MATERIALS SUBMITTED IN CONNECTION WITH DI 973.</i> Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 04/25/2013)
04/25/2013	<u>1075</u>	DECLARATION of Randy M. Mastro in Support re: <u>854</u> MOTION to Compel LAP REPRESENTATIVES AND DONZIGER DEFENDANTS to PRODUCE DOCUMENTS AND RECORDINGS OF ALLEGED INTERACTIONS BETWEEN CHEVRON AND POTENTIAL WITNESSES.. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Mastro, Randy) (Entered: 04/25/2013)
04/25/2013	<u>1076</u>	REPLY MEMORANDUM OF LAW in Support re: <u>959</u> MOTION for Reconsideration re: <u>905</u> Memorandum & Opinion,,,,, <i>Memorandum of Law in Support of Defendants' Joint Motion to Reconsider the Court's March 15, 2013 Order Regarding Chevron's Subpoena to Patton Boggs.</i> MOTION for Reconsideration re: <u>905</u> Memorandum & Opinion,,,,, <i>Memorandum of Law in Support of Defendants' Joint Motion to Reconsider the Court's March 15, 2013 Order Regarding Chevron's Subpoena to Patton Boggs.</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 04/25/2013)
04/26/2013	<u>1077</u>	SPECIAL MASTERS ORDER NO. 4: By letter dated April 22, 2013, plaintiff Chevron Corporation moved for a protective order limiting the scope of the deposition of Andres Rivero scheduled for April 24, 2013. Defendants Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje opposed the motion. The Special Master addressed the issues raised in Chevron's motion, to the extent necessary, during the course of Mr. Rivero's deposition. Chevron's motion is accordingly denied as moot. (Signed by Special Master Theodore H. Katz on 4/26/2013) (mro) (Entered: 04/26/2013)
04/26/2013	<u>1078</u>	RESPONSE in Opposition re: <u>1069</u> MOTION to Quash Notice of Deposition of Kroll, Inc... Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 1)(Doyle, Tyler) (Entered: 04/26/2013)
04/26/2013	<u>1079</u>	RESPONSE in Opposition re: <u>1065</u> MOTION to Quash Notice of Deposition of Edward Scott., <u>1067</u> MOTION to Quash Deposition Notice of John Watson. <i>Redacted Public Version.</i> Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B FILED UNDER SEAL, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D FILED UNDER SEAL, # <u>5</u> Exhibit E)(Doyle, Tyler) (Entered: 04/26/2013)
04/28/2013	<u>1080</u>	NOTICE of Supplemental Submission on Ecuadorian Law in Response to the Court's Inquiry on April 18, 2013. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Doyle, Tyler) (Entered: 04/28/2013)
04/29/2013	1081	SEALED DOCUMENT placed in vault.(mps) (Entered: 04/29/2013)
04/29/2013	<u>1082</u>	TRANSCRIPT of Proceedings re: TRIAL held on 4/16/2013 before Judge Lewis A. Kaplan. Court Reporter/Transcriber: Vincent Bologna, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 5/23/2013. Redacted Transcript Deadline set for 6/3/2013. Release of Transcript Restriction set for 8/1/2013.(McGuirk, Kelly) (Entered: 04/29/2013)
04/29/2013	<u>1083</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a TRIAL proceeding held on 4/16/2013 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 04/29/2013)

04/29/2013	<u>1084</u>	TRANSCRIPT of Proceedings re: TRIAL held on 4/17/2013 before Judge Lewis A. Kaplan. Court Reporter/Transcriber: Vincent Bologna, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 5/23/2013. Redacted Transcript Deadline set for 6/3/2013. Release of Transcript Restriction set for 8/1/2013.(McGuirk, Kelly) (Entered: 04/29/2013)
04/29/2013	<u>1085</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a TRIAL proceeding held on 4/17/2013 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 04/29/2013)
04/29/2013	<u>1086</u>	TRANSCRIPT of Proceedings re: TRIAL held on 4/18/2013 before Judge Lewis A. Kaplan. Court Reporter/Transcriber: Vincent Bologna, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 5/23/2013. Redacted Transcript Deadline set for 6/3/2013. Release of Transcript Restriction set for 8/1/2013.(McGuirk, Kelly) (Entered: 04/29/2013)
04/29/2013	<u>1087</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a TRIAL proceeding held on 4/18/2013 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 04/29/2013)
04/29/2013	<u>1088</u>	OBJECTION to <u>1025</u> Report and Recommendations Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Werdegar, Matthew) (Entered: 04/29/2013)
04/29/2013	<u>1089</u>	DECLARATION of Jason Stavers in Support re: <u>893</u> MOTION for Sanctions / <i>PLAINTIFF CHEVRON CORPORATION'S NOTICE OF MOTION TO SANCTION AND HOLD THE DONZIGER DEFENDANTS AND LAP REPRESENTATIVES IN CONTEMPT OF COURT FOR DISOBEYING THE COURT'S DISCOVERY ORDERS.</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 3688, # <u>2</u> Exhibit 3689, # <u>3</u> Exhibit 3690, # <u>4</u> Exhibit 3691, # <u>5</u> Exhibit 3692, # <u>6</u> Exhibit 3693, # <u>7</u> Exhibit 3694, # <u>8</u> Exhibit 3695, # <u>9</u> Exhibit 3696, # <u>10</u> Exhibit 3697, # <u>11</u> Exhibit 3698)(Mastro, Randy) (Entered: 04/29/2013)
04/29/2013	<u>1090</u>	DECLARATION of Randy M. Mastro in Support re: <u>893</u> MOTION for Sanctions / <i>PLAINTIFF CHEVRON CORPORATION'S NOTICE OF MOTION TO SANCTION AND HOLD THE DONZIGER DEFENDANTS AND LAP REPRESENTATIVES IN CONTEMPT OF COURT FOR DISOBEYING THE COURT'S DISCOVERY ORDERS.</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Mastro, Randy) (Entered: 04/29/2013)
05/01/2013	<u>1091</u>	MANDATE of USCA (Certified Copy) as to <u>729</u> Notice of Interlocutory Appeal, filed by Javier Piaguaje Payaguaje, Hugo Gerardo Camacho Naranjo USCA Case Number 13-332. Upon due consideration, it is hereby ORDERED that the motion to strike portions of Chevron's reply is DENIED but the alternative request for leave to file the provided sur-reply is GRANTED. It is further ORDERED that the motion to dismiss the appeal is GRANTED. It is further ORDERED that the request for a writ of mandamus is DENIED. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 05/01/2013. (nd) (Entered: 05/02/2013)
05/01/2013	<u>1092</u>	SPECIAL MASTERS ORDER NO.5: For these reasons, Chevrons application to extend the presumptive length of Mr. Zambranos deposition is granted, only to the following extent: Chevrons time to depose Mr. Zambrano will be extended beyond

		3.5 hours, in an amount of time to be determined by the presiding Special Master during the first day of Mr. Zambranos deposition. As requested by counsel for Messrs. Camacho and Piaguaje, his 3.5 hour examination of Mr. Zambrano will come first, and upon his completion of those 3.5 hours counsel for Chevrns examination will commence. Mr. Zambrano should therefore expect to appear for deposition at the Embassy on both Thursday, May 16, and Friday, May 17. On a related issue: Counsel for Messrs. Camacho and Piaguaje have stated that they have not been able to confirm whether Mr. Zambrano will appear for deposition but expect to be able to do so by the end of the week. Counsel for Chevron insisted during the conference call that basic fairness, the need to finalize travel arrangements, and the need to decide what to prepare require prompt certainty on that score earlier. Formalizing the ruling we made at the conference call, we hereby order counsel for Messrs. Camacho and Piaguaje to advise counsel for Chevron and the Special Masters definitively by the close of business on Thursday, May 2 (the median time between that proposed by such counsel and that demanded by Chevrns counsel) whether Mr. Zambrano will appear for deposition at the Embassy as scheduled. Counsel for Messrs. Camacho and Piaguaje are directed to serve a copy of this Order upon Mr. Zambrano promptly. SO ORDERED. (Signed by Special Masters Theodore H. Katz and Max Gitter on 5/01/2013) (ama) (Entered: 05/02/2013)
05/02/2013	<u>1093</u>	SPECIAL MASTERS ORDER NO. 6: For the reasons stated on the record, even if Defendants had been able to establish entitlement to some work product protection pursuant to the common interest doctrine that had not otherwise been waived, Chevron has a substantial need for the work product at issue here. First, as Chevron's counsel argued, these documents and related testimony are not merely highly relevant to the issue of whether there was a fraud on the court or obstruction of justice in connection with the Stratus 1782 proceedings: they are sui generis. Second, Defendants' and their agents' position that the recent settlement between Stratus and Chevron resulted from intimidation and pressure by Chevron is analogous to a charge of "recent fabrication" by Stratus principals Douglas Beltman and Ann Maest about the behavior of the LAPs' lawyers during the Stratus 1782 proceedings: 7 as the above quotations from Ss documents (and others) show, Ss documents and related testimony are probative of prior consistent statements made years before the recent settlement. In light of all the foregoing threshold, independent grounds for rejecting all of Defendants' claims of privilege under the "common interest" doctrine, I do not at this juncture need to reach Chevron's additional ground for rejecting these claims, i.e., the crime-fraud exception. Defendants' counsel concurred that I should not reach that issue at this time. Beier Tr. at 146:11-13. (Signed by Special Master Max Gitter on 5/2/2013) (mro) Modified on 5/3/2013 (mro). (Entered: 05/02/2013)
05/02/2013	<u>1094</u>	MOTION for Order to Show Cause <i>For An Order Further Protecting The Confidential Declaration of Doe 3 and Granting Leave to Supplement the Record with Doe 3's Declaration</i> . Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 05/02/2013)
05/02/2013	<u>1095</u>	MEMORANDUM OF LAW in Support re: <u>1094</u> MOTION for Order to Show Cause <i>For An Order Further Protecting The Confidential Declaration of Doe 3 and Granting Leave to Supplement the Record with Doe 3's Declaration</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 05/02/2013)
05/02/2013	<u>1096</u>	DECLARATION of Randy M. Mastro in Support re: <u>1094</u> MOTION for Order to Show Cause <i>For An Order Further Protecting The Confidential Declaration of Doe 3 and Granting Leave to Supplement the Record with Doe 3's Declaration</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Mastro, Randy) (Entered: 05/02/2013)
05/02/2013	<u>1097</u>	MOTION to Amend/Correct <u>910</u> Order,,,,,,,,,,,,, <i>Plaintiff Chevron Corporation's Motion to Change Its Deponent List</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Mastro, Randy) (Entered: 05/02/2013)
05/02/2013	<u>1099</u>	MANDATE of USCA (Certified Copy) as to <u>673</u> Notice of Interlocutory Appeal filed by Patton Boggs LLP, <u>670</u> Notice of Interlocutory Appeal filed by Republic of Ecuador USCA Case Number 12-5005(L), 12-5031 (Con). Chevron



		Corporation, through counsel, moves to dismiss the appeals for lack of jurisdiction. Appellants, through counsel, oppose the motions. Upon due consideration, it is hereby ORDERED that the motion to dismiss is GRANTED. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 05/02/2013. (nd) (Entered: 05/03/2013)
05/03/2013	<u>1098</u>	MOTION for Protective Order <i>re Rule 30(b)(6) Notice</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Mastro, Randy) (Entered: 05/03/2013)
05/03/2013	<u>1100</u>	MEMORANDUM OF LAW in Support <i>OF KEKER &amp; VAN NEST LLP'S MOTION BY ORDER TO SHOW CAUSE FOR AN ORDER PERMITTING IT TO WITHDRAW AS COUNSEL FOR DONZIGER DEFENDANTS</i> . Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Keker, John) (Entered: 05/03/2013)
05/03/2013	<u>1101</u>	DECLARATION of JOHN W. KEKER in Support re: <u>1100</u> Memorandum of Law in Support,. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Keker, John) (Entered: 05/03/2013)
05/03/2013	<u>1102</u>	MEMORANDUM OF LAW in Support of <i>Application by Order to Show Cause Why Smyser Kaplan &amp; Veselka Motion to Withdraw as Attorney in Charge for Defendants Camacho and Piaguaje Should Not be Granted</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 05/03/2013)
05/03/2013	<u>1103</u>	DECLARATION of Craig Smyser in Support re: <u>1102</u> Memorandum of Law in Support,. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 05/03/2013)
05/03/2013	<u>1104</u>	NOTICE of Proposed Order to Show Cause re: <u>1102</u> Memorandum of Law in Support,. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 05/03/2013)
05/03/2013	<u>1105</u>	NOTICE of Proposed Order to Show Cause re: <u>1100</u> Memorandum of Law in Support,. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Keker, John) (Entered: 05/03/2013)
05/03/2013	<u>1106</u>	MOTION to Compel H5 to Produce Documents. Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30, # <u>31</u> Exhibit 31, # <u>32</u> Exhibit 32)(Mastro, Randy) (Entered: 05/03/2013)
05/06/2013	<u>1107</u>	MEMO ENDORSEMENT on PROPOSED ORDER TO SHOW CAUSE WHY SMYSER KAPLAN & VESELKA, L.L.P.'S MOTION TO WITHDRAW AS ATTORNEY IN CHARGE FOR DEFENDANTS HUGO CAMACHO AND JAVIER PIAGUAJE SHOULD NOT BE GRANTED. ENDORSEMENT: The Order to Show Cause request is denied. Counsel may proceed by motion. Discovery shall continue as scheduled. (Signed by Judge Loretta A. Preska on 5/6/2013) (mro) (Entered: 05/06/2013)
05/06/2013	<u>1108</u>	MEMO ENDORSEMENT on PROPOSED ORDER TO SHOW CAUSE WHY KEKER & VAN NEST, LLP SHOULD NOT BE PERMITTED TO WITHDRAW AS COUNSEL FOR DEFENDANTS STEVEN DONZIGER, THE LAW OFFICES OF STEVEN R. DONZIGER, AND DONZIGER & ASSOCIATES, PLLC. ENDORSEMENT: The request for an Order to Show Cause is denied. Counsel may proceed by motion. Discovery shall proceed as scheduled. (Signed by Judge Loretta A. Preska on 5/6/2013) (mro) (Entered: 05/06/2013)

05/06/2013	<u>1109</u>	MOTION for John W. Kecker to Withdraw as Attorney. Document filed by Steven Donziger, Donziger & Associates, PLLC, Daniel Ehuengei, Onenca Enomenga, Pego Enomenga, Wina Enomenga, Frente de Defensa De La Amazonia, Laura J Garr, Max Gitter, Olga Gloria Grefa Cerda, Beatriz Mercedes Grefa Tanguila, Lucio Enrique Grefa Tanguila, Heleodoro Pataron Guaraca, Compa Guiquita, Bebanca Tega Huani, Cope Tega Huani, Dabota Tega Huani, Kemperi Baihua Huani, Nama Baihua Huani, Omari Apica Huani, Omene Baihua Huani, Wagui Coba Huani, Weica Apica Huani, Yehua Tega Huani, gaware Tega Huani, Carlos Grefa Huatatoca, Wane Ima, Jose Miguel Ipiales Chicaiza, Theodore H. Katz, Miipo Yatehue Kemperi, Joseph C. Kohn, Kohn Swift & Graf, P.C., Daniel Carlos Lusitande Yaiguaje, Emilio Martin Lusitande Yaiguaje, Reinaldo Lusitande Yaiguaje, Ann Maest, Pablo Fajardo Mendoza, Bai Baihua Miipo, Martin Baihua Miipo, Pentibo Baihua Miipo, Nantoqui Nenquimo, Nenquimo Venancio Nihua, Okata Quipa Nihua, Cahuiya Omaca, Abamo Omene, Patton Boggs LLP, Guillermo Vicente Payaguaje Lusitante, Alfredo Donald Payaguaje Payaguaje, Delfin Leonidas Payaguaje Payaguaje, Miguel Mario Payaguaje Payaguaje, Luis Agustin Payaguaje Piaguaje, Angel Justino Piaguaje Lucitant, Teodoro Gonzalo Piaguaje Payaguaje, Armando Wilfrido Piaguaje Payaguaje, Fermin Piaguaje Payaguaje, Javier Piaguaje Payaguaje, Elias Roberto Piyahuaje Payahuaje, Cai Baihua Quemperi, Conta Nenquimo Quimontari, Maria Clelia Reascos Revelo, Republic of Ecuador, Jose Gabriel Revelo Llore, John Rodgers, Maria Magdalena Rodriguez Barcenes, Catalina Antonia Aguinda Salazar, Maria Aguinda Salazar, Selva Viva Selviva CIA, Ltda, Stratus Consulting, Inc., Stratus Consulting, Inc., Bertha Antonia Yumbo Tanguila, Gloria Lucrecia Tanguila Grefa, Luisa Delia Tanguila Narvaez, Narcisa Aida Tanguila Narvaez, Franciso Victor Tanguilla Grefa, Ehuenguinto Tega, Mencay Baihua Tega, Teweyene Luciana Nam Tega, The Law Offices of Steven R. Donziger.(Keker, John) (Entered: 05/06/2013)
05/06/2013	<u>1110</u>	MEMORANDUM OF LAW in Support re: <u>1109</u> MOTION for John W. Kecker to Withdraw as Attorney.. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Keker, John) (Entered: 05/06/2013)
05/06/2013	<u>1111</u>	DECLARATION of John W. Kecker in Support re: <u>1109</u> MOTION for John W. Kecker to Withdraw as Attorney.. Document filed by Steven Donziger, Donziger & Associates, PLLC, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Keker, John) (Entered: 05/06/2013)
05/06/2013	<u>1112</u>	MOTION for Craig Smyser to Withdraw as Attorney <i>in Charge for Defendants Camacho and Piaguaje</i> . Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje.(Doyle, Tyler) (Entered: 05/06/2013)
05/06/2013	<u>1113</u>	MEMORANDUM OF LAW in Support re: <u>1112</u> MOTION for Craig Smyser to Withdraw as Attorney <i>in Charge for Defendants Camacho and Piaguaje</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 05/06/2013)
05/06/2013	<u>1114</u>	DECLARATION of Craig Smyser in Support re: <u>1112</u> MOTION for Craig Smyser to Withdraw as Attorney <i>in Charge for Defendants Camacho and Piaguaje</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 05/06/2013)
05/06/2013	<u>1115</u>	REPLY MEMORANDUM OF LAW in Support re: <u>1047</u> Order. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje. (Doyle, Tyler) (Entered: 05/06/2013)
05/06/2013	<u>1116</u>	MEMORANDUM OF LAW in Opposition re: <u>1097</u> MOTION to Amend/Correct <u>910</u> Order,,,,,,,,,,,,, <i>Plaintiff Chevron Corporation's Motion to Change Its Deponent List</i> . MOTION to Amend/Correct <u>910</u> Order,,,,,,,,,,,,, <i>Plaintiff Chevron Corporation's Motion to Change Its Deponent List</i> .. Document filed by Patton Boggs LLP. (Leader, James) (Entered: 05/06/2013)
05/06/2013	<u>1117</u>	RESPONSE in Opposition re: <u>1097</u> MOTION to Amend/Correct <u>910</u> Order,,,,,,,,,,,,, <i>Plaintiff Chevron Corporation's Motion to Change Its Deponent List</i> . MOTION to Amend/Correct <u>910</u> Order,,,,,,,,,,,,, <i>Plaintiff Chevron Corporation's Motion to Change Its Deponent List</i> .. Document filed by Hugo

		Gerardo Camacho Naranjo, Javier Piaguafe Payaguafe. (Doyle, Tyler) (Entered: 05/06/2013)
05/06/2013	<u>1118</u>	RESPONSE re: <u>1056</u> Memorandum of Law – <i>CHEVRON CORPORATION'S RESPONSE TO DEFENDANTS' MEMORANDUM OF LAW CONCERNING THE APPEALABILITY OF THE COURT'S APRIL 12, 2013 ORDER COMPELLING DISCOVERY FROM GARR AND KOHN (DKT. 1012)</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 05/06/2013)
05/07/2013	<u>1119</u>	MEMORANDUM AND ORDER denying <u>1065</u> Motion to Quash; denying <u>1067</u> Motion to Quash; denying <u>1069</u> Motion to Quash. For the reasons discussed above, Chevron's motions to quash the depositions of Mr. Watson (Docket no. 1067), Mr. Scott (Docket no. 1065), and Kroll (Docket no. 1069) are each denied. (Signed by Magistrate Judge James C. Francis on 5/7/2013) Copies Mailed By Chambers. (lmb) (Entered: 05/07/2013)
05/07/2013	<u>1120</u>	RESPONSE in Opposition re: <u>1098</u> MOTION for Protective Order <i>re Rule 30(b)(6) Notice</i> .. Document filed by Hugo Gerardo Camacho Naranjo, Javier Piaguafe Payaguafe. (Doyle, Tyler) (Entered: 05/07/2013)
05/07/2013	<u>1121</u>	NOTICE OF APPEARANCE by Frederick Reed Kessler on behalf of H5 (Kessler, Frederick) (Entered: 05/07/2013)
05/07/2013	<u>1122</u>	SPECIAL MASTERS ORDER NO. 7: We dispose of the five numbered requests in Mr. Mastros letter as follows: (1) The requests in Par. 1 were obviously denied, sub silentio, as we did not issue an order directing defendants to do anything by 5:00 p.m. Friday. (2) In Par. 2 Mr. Mastro requests that Chevron be given some reasonable period of time to depose Mr. Zambrano first before he is examined by Defendants and that defendants would then examine Mr. Zambrano for 3.5 hours, followed by a reasonable period of time [for Chevron] to conduct a cross-examination[.] Defendants, for their part, have made a mirrorimagerequest: After the conclusion of Mr. Guerras deposition on May 2, Mr. Veselka, on behalf of defendants, requested off the record that whatever additional time beyond 3.5 hours is allowed to Chevron at the Zambrano deposition under our Order No. 5 be split 50% to defendants. Fleshing out the logic of Mr. Veselkas expectation, he would have defendants begin by examining Mr. Zambrano for 3.5 hours, Chevron would then examine for 3.5 hours plus 50% of any additional time granted, and then defendants would examine again, for the remaining 50% of any additional time granted. We reject both of these renvoi-like requests and adhere to our Order No. 5, which not only sets out a more orderly approach but also will enable the supervising Special Master to determine the appropriate amount of additional time for Chevrons examination of Mr. Zambrano.(3) The requests in Pars. 3 and 4, which are in essence document or informational discovery requests, presumably have been (or could have been) dealt with through discovery demands or interrogatories served in advance of the deposition. If Mr. Zambrano appears for deposition, Chevron will of course be free to elicit testimony about his communications with defendants or their counsel (whether directly or through an intermediary) and to test the adequacy of defendants document productions insofar as they relate to information obtained by defendants from Mr. Zambrano. For these reasons, among others, Chevrons requests in Pars. 3 and 4 are denied. (4) Our denial of the requests in Pars. 1 through 4 renders Chevrons request in Par. 5 that Mr. Zambrano be removed from the deposition schedule academic. Nevertheless, it should be noted that this schedule has been so-ordered several times, including as recently as yesterday. See Memo Endorsement, ECF No. 1108 (Discovery shall proceed as scheduled.). SO ORDERED. (Signed by Special Master on 5/07/2013) (ama) (Entered: 05/07/2013)
05/07/2013	<u>1123</u>	RESPONSE to Motion re: <u>1106</u> MOTION to Compel H5 to Produce Documents.. Document filed by H5. (Kessler, Frederick) (Entered: 05/07/2013)
05/07/2013	<u>1124</u>	RESPONSE in Opposition re: <u>1106</u> MOTION to Compel H5 to Produce Documents.. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguafe Payaguafe, The Law Offices of Steven R. Donziger. (Attachments: # <u>1</u> Exhibit 1)(Doyle, Tyler) (Entered: 05/07/2013)

05/08/2013	<u>1125</u>	MOTION to Take Deposition from JAMES TYRRELL. Document filed by Chevron Corporation.(Mastro, Randy) (Entered: 05/08/2013)
05/08/2013	<u>1126</u>	STIPULATION AND ORDER: IT IS STIPULATED by and between, Chevron, Donziger, Hugo Gerardo Camacho Naranjo, Javier Piaguaje Payaguaje, Garr, and Kohn that, with respect to the documents held by Garr and Kohn responsive to Chevron's subpoenas served on them in the above-captioned actions for which a claim of privilege or work product protection has been asserted and the Court ruled has been waived, the documents shall be produced to Chevron, and Chevron shall not argue that such disclosure pursuant to this Stipulation constitutes a subject matter waiver of any privilege or protection pursuant to Rule 502(d) of the Federal Rules of Evidence; and IT IS FURTHER STIPULATED that production of these documents to Chevron pursuant to this Stipulation and Order shall not constitute a subject matter waiver of any privilege or protection as provided by Federal Rule of Evidence 502(d); and IT IS FURTHER STIPULATED that, following the production of these documents, Chevron shall review the documents, shall identify those for which it will continue to seek disclosure, and shall remove from Chevron's files (both electronic and hard-copy) and return (or discard) all copies of documents Chevron chooses not to continue to seek; IT IS FURTHER STIPULATED that, unless otherwise ordered by the Court, any documents disclosed to Chevron pursuant to this Stipulation and Order shall not be used in any manner in this or any other litigation other than to identify the subset of documents for which Chevron will continue to seek disclosure, in order to narrow the universe of documents remaining in dispute; as further set forth herein. (Signed by Judge Lewis A. Kaplan on 5/8/2013) (mro) (Entered: 05/09/2013)
05/08/2013	<u>1127</u>	MEMO ENDORSEMENT granting in part and denying in part <u>1097</u> PLAINTIFF CHEVRON CORPORATION'S MOTION TO CHANGE ITS DEPONENT LIST. ENDORSEMENT: Chevron moves to add Andres Snaider as a deposition witness (within the limited number previously fixed) and to substitute James Tyrell of Patton Boggs ("PB") in place of the previously noticed PB Rule 30(b)(6) witness. Chevron long has known of Mr. Snaider, left him off its list of deponents, and now assigns a reason for the last minute attempt to add him that is not very persuasive in all the circumstances. PB and Mr. Tyrell state that they "do not object to the substitution of Tyrell for a Patton Boggs 30(b)(6) on the deposition list." DI 1116, at 1 (emphasis in original, footnote omitted). But they then proceed to argue that the subpoena served upon him should be quashed because his testimony would be cumulative and inappropriate under the standard articulated in In re Friedman, 350 F.3d 65 (2d Cir. 2003). In other words, they do not object to his name being listed—they object only to his actually testifying and to receiving, in the bargain, the withdrawal of the 30(b)(6) notice. The contention that his testimony would be cumulative is frivolous. The Friedman question may prove more substantial. Accordingly, Chevron's motion [DI 1097] is granted to the extent that Mr. Tyrell is added to Chevron's list of deponents (without exceeding the previously established maximum number) and denied as to Mr. Snaider. As Chevron has not responded to the application to quash the Tyrell subpoena—which was made only in response to Chevron's motion to add him to the deposition witness list rather than in a separate motion—the Court will reserve judgment on that question pending further briefing. Chevron shall respond to that application no later than May 13. PB and Mr. Tyrell may reply to any response by Chevron no later than May 17, 2013. (Signed by Judge Lewis A. Kaplan on 5/8/2013) (mro) (Entered: 05/09/2013)
05/08/2013		Set/Reset Deadlines: Responses due by 5/13/2013 Replies due by 5/17/2013. (mro) (Entered: 05/09/2013)
05/08/2013	<u>1128</u>	ORDER TO SHOW CAUSE FOR AN ORDER FURTHER PROTECTING THE CONFIDENTIAL DECLARATION OF DOE 3 AND GRANTING LEAVE TO SUPPLEMENT THE RECORD WITH DOE 3'S DECLARATION: WHEREAS, on May 2, 2013, petitioner Chevron Corporation ("Chevron") filed a Motion By Order to Show Cause For an Order Further Protecting the Confidential Declaration of Doe 3 and Granting Leave to Supplement the Record With Doe 3's Declaration. The Court has considered the evidence and arguments presented, and sufficient reason appearing, it is hereby: ORDERED that Chevron shall serve counsel for Defendants, by hand, facsimile, or e-mail a copy of this Order to Show Cause and all papers submitted in support thereof on or before 5:00 p.m. on May 9, 2013; and ORDERED that papers in opposition to the Motion, if any, shall be served and



		filed electronically on or before 10:00 a.m. on May 15, 2013; and Ordered that ORDERED that reply papers, if any, shall be served and filed electronically on or before 10:00 a.m. on May 17, 2013; ORDERED that Defendants must show cause before this Court on May 17, 2013 why an order should not be entered granting Chevron's Motion for an Order Further Protecting the Confidential Declaration of Doe 3 and Granting Leave to Supplement the Record with Doe 3's Declaration, restricting the Doe 3 declaration, the identity of Doe 3, or any of Doe 3's identifying information, to a single individual appearing as counsel of record in this action for each Defendant and granting leave to supplement the record with Doe 3's Declaration. ENDORSEMENT: The motion will be taken on submission. (Signed by Judge Lewis A. Kaplan on 5/8/2013) (mro) (Entered: 05/09/2013)
05/09/2013	<u>1129</u>	ORDER: The parties by May 15, 2013 jointly shall provide to the Court a list setting forth (1) the depositions conducted in the 11 Civ. 3718 action and the dates on which those depositions were conducted, (2) the depositions conducted in this action and the dates on which those depositions were conducted, (3) the remaining depositions in this action and the dates on which they are scheduled to occur, and (4) the total number of documents each party has produced in response to document requests in each of this action and the 11 Civ. 3718 action. (Signed by Judge Lewis A. Kaplan on 5/9/2013) (mro) (Entered: 05/09/2013)
05/09/2013	<u>1130</u>	MEMO ENDORSEMENT granting in part and denying in part <u>1098</u> PLAINTIFF CHEVRON CORPORATION'S MOTION FOR A PROTECTIVE ORDER REGARDING DEFENDANTS' RULE 30(b)(6) NOTICE OF DEPOSITION. ENDORSEMENT: Chevron moves for a protective order striking from the permissible Subjects of examination of a Chevron Rule 30(b)(6) witness by the LAP Representatives Subjects 1, 6–9, 12, 19, 20, and 24–29 and deferring any examination on Subject 21 pending a decision on the motion to dismiss defendant Donziger's counterclaim. Chevron claims that Subjects 1, 22, and 28 improperly target privileged matters and legal conclusions and that Subject 1, in addition, is overly broad and would be an improper use of Rule 30(b)(6). Subjects 6 and 7 are not relevant on the basis of considerations that the Court has expressed more than once. Subjects 24–27, which are utterly unlimited as to time, all go to the question of the propriety of piercing the corporate veil between Texaco and Chevron, which the LAP Representatives say is made "relevant by [Chevron's] continuing to insist on an improper ruling about whether the Ecuadorian Judgment is entitled to recognition in New York." DI 1120, at 4. Any examination on Subject 21 should be deferred unless and until the Court rejects Magistrate Judge Francis' recommendation that defendant Donziger's counterclaim be dismissed, as it is relevant only to that. For the foregoing reasons, Chevron's motion for a protective order [DI 1098] is granted to the extent that Subjects 6–9, 12, 24–27, and 29 are stricken, Subject 1 is modified as set forth above, and any examination on Subject 21 is stayed as indicated. The motion is denied as to Subjects 19, 20, and 22; as further set forth herein. (Signed by Judge Lewis A. Kaplan on 5/9/2013) (mro) (Entered: 05/09/2013)
05/09/2013	<u>1131</u>	ORDER: In view of the parties' stipulation [DI 1126] and their report that they hope to complete the process and report to the Court by May 14, 2013, the date for production of documents fixed by the April 12, 2013 order in 11 Civ. 0691 (LAK) is further extended to and including May 17, 2013. (Signed by Judge Lewis A. Kaplan on 5/9/2013) (mro) (Entered: 05/09/2013)
05/09/2013	<u>1132</u>	ORDER: Chevron Corporation ("Chevron") moves to compel the law firms of Constantine Cannon LLP and Brownstein Hyatt Farber Schreck, LLP (collectively, the "Firms") to produce documents pursuant to subpoenas served upon each of them. The documents relate to the firms' brief representation of the Lago Agrio Plaintiffs (the "LAPs"), two of whom are defendants here (the "LAP Representatives"), in opposing discovery sought by Chevron in 2010 in a 28 U.S.C. § 1782 proceeding against Stratus Consulting, Inc. and others in the District of Colorado. Both firms resigned, allegedly when they learned, as Chevron puts it, that "Donziger [one of the LAPs' U.S. lawyers] intended for them to fraudulently conceal Stratus's role as the ghostwriter-in-chief of an Ecuadorian court expert report by making false statements and taking unsupported positions." DI 850, at 1. Neither Firm claims any independent basis for withholding documents responsive to the subpoenas. Each, acting on the instructions of the LAPs and Donziger, has

		asserted privilege and work product with respect to the responsive documents. Neither Firm is alleged knowingly to have participated in any crime, fraud, or other misconduct. It appears to the Court that the dispute regarding the Firms' documents might well be resolved entirely, or at least narrowed, if counsel to Chevron were permitted to view the allegedly privileged documents without prejudice to the position defendants have asserted regarding privilege and work product. It may be, for example, that Chevron, having seen the documents, may conclude that it need not press its demands for some or all of them. The proposed procedure was employed to good effect during the recent evidentiary hearing in 11 Civ. 0691, and is currently being employed in attempt to resolve the motions to compel other non-parties in this action. Accordingly, counsel for all of the parties to this matter shall meet and confer, on or before May 15, 2013 in order to explore these possibilities. They shall report to the Court by joint, non-argumentative letter and provide the Court with copies of any privilege logs that have been served on or before May 16, 2013. Should those concerned reach any helpful agreement, the Court would entertain an application for an appropriate Fed. R. Evid. 502(d) order. (Signed by Judge Lewis A. Kaplan on 5/9/2013) (mro) (Entered: 05/09/2013)
05/09/2013	<u>1133</u>	MOTION for Robert C. Blume to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8497663. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Chevron Corporation. (Attachments: # <u>1</u> Declaration of Randy M. Mastro, # <u>2</u> Exhibit 1 – Certificate of Good Standing, # <u>3</u> Text of Proposed Order)(Mastro, Randy) (Entered: 05/09/2013)
05/09/2013		<b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>1133</u> MOTION for Robert C. Blume to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8497663. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 05/09/2013)</b>
05/09/2013	<u>1134</u>	Objection re: <u>1119</u> Order on Motion to Quash,,,, <i>CHEVRON CORPORATION'S OBJECTIONS TO JUDGE FRANCIS'S ORDER DENYING CHEVRON'S MOTIONS FOR A PROTECTIVE ORDER AND TO QUASH THE DEPOSITIONS OF JOHN WATSON AND EDWARD SCOTT (DKT. 1119)</i> . Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 05/09/2013)
05/10/2013	<u>1135</u>	<b>FILING ERROR – NOT ALL FILERS SELECTED –</b> JOINT NOTICE OF INTERLOCUTORY APPEAL from <u>1012</u> Order,,. Document filed by The Law Offices of Steven R. Donziger. Filing fee \$ 455.00, receipt number 0208-8500905. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Doyle, Tyler) Modified on 5/10/2013 (nd). (Entered: 05/10/2013)
05/10/2013	<u>1136</u>	<b>FILING ERROR – ALL FILERS WERE NOT SELECTED –</b> JOINT NOTICE OF INTERLOCUTORY APPEAL from <u>1012</u> Order,,. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Doyle, Tyler) Modified on 5/10/2013 (nd). (Entered: 05/10/2013)
05/10/2013	<u>1137</u>	CORRECTED NOTICE OF APPEAL re: <u>1135</u> Notice of Interlocutory Appeal, <u>1136</u> Notice of Interlocutory Appeal, <u>1012</u> Order,,. Document filed by Hugo Gerardo Camacho Naranjo, Steven Donziger, Donziger & Associates, PLLC, Javier Piaguaje Payaguaje, The Law Offices of Steven R. Donziger. (Doyle, Tyler) (Entered: 05/10/2013)
05/10/2013		<b>***NOTE TO ATTORNEY REGARDING DEFICIENT APPEAL. Note to Attorney Tyler Doyle to RE-FILE Document No. <u>1135</u> Notice of Interlocutory Appeal,. The filing is deficient for the following reason: the Filers were NOT Selected. Re-file the document as a Corrected Notice of Appeal event and select the correct Filers. (nd) (Entered: 05/10/2013)</b>
05/10/2013		<b>***NOTE TO ATTORNEY REGARDING DEFICIENT APPEAL. Note to Attorney Tyler Doyle to RE-FILE Document No. <u>1136</u> Notice of Interlocutory Appeal,. The filing is deficient for the following reason: the Filers were NOT Selected. Re-file the document as a Corrected Notice of Appeal event and select the correct Filers. (nd) (Entered: 05/10/2013)</b>

05/10/2013		Appeal Fee Paid electronically via Pay.gov: for <u>1137</u> Corrected Notice of Appeal,. Filing fee \$ 455.00. Pay.gov receipt number 0208-8500905, paid on 05/10/2013. (nd) (Entered: 05/10/2013)
05/10/2013		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>1137</u> Corrected Notice of Appeal,. (nd) (Entered: 05/10/2013)
05/10/2013	<u>1138</u>	MEMORANDUM OF LAW in Opposition re: <u>1125</u> MOTION to Take Deposition from JAMES TYRRELL.. Document filed by Patton Boggs LLP. (Attachments: # <u>1</u> Exhibit 1)(Young, S. Alyssa) (Entered: 05/10/2013)
05/10/2013	<u>1139</u>	RESPONSE re: <u>1088</u> Objection to Report and Recommendations. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 05/10/2013)
05/11/2013	<u>1140</u>	RESPONSE to Motion re: <u>1109</u> MOTION for John W. Keker to Withdraw as Attorney., <u>1112</u> MOTION for Craig Smyser to Withdraw as Attorney <i>in Charge for Defendants Camacho and Piaguaje</i> .. Document filed by Chevron Corporation. (Mastro, Randy) (Entered: 05/11/2013)
05/11/2013	<u>1141</u>	RESPONSE to Motion re: <u>1109</u> MOTION for John W. Keker to Withdraw as Attorney., <u>1112</u> MOTION for Craig Smyser to Withdraw as Attorney <i>in Charge for Defendants Camacho and Piaguaje. Declaration of Jason B. Stavers In Support of Response</i> . Document filed by Chevron Corporation. (Attachments: # <u>1</u> Exhibit 3701-3705, # <u>2</u> Exhibit 3706-3710, # <u>3</u> Exhibit 3711-3720, # <u>4</u> Exhibit 3721-3732)(Mastro, Randy) (Entered: 05/11/2013)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
CHEVRON CORPORATION,

Plaintiff,

-against-

STEVEN DONZIGER, et al.,

Defendants.  
----- X

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 4/12/13
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11 Civ. 0691 (LAK)

### MEMORANDUM AND ORDER

LEWIS A. KAPLAN, *District Judge.*

This matter is before the Court on a discovery dispute arising from subpoenas that Chevron Corporation (“Chevron”) has served on two non-parties. The non-parties have asserted privilege and work product objections on behalf of the Lago Agrio Plaintiffs (the “LAPs”). Chevron has moved to compel the production of the documents. Defendants Steven Donziger, the Law Offices of Steven R. Donziger, Donziger & Associates, PLLC (“Donziger”) and the two appearing LAPs (the “LAP Representatives”) oppose the motions to compel. Given the complicated history of this case, the dispute arises in an unusual context.

#### *Facts*

As an initial matter, the Court assumes familiarity with the overall context of this



dispute, including both the background of the litigation, the Count Nine Action,<sup>1</sup> and, importantly, the prior rulings of this Court and the Second Circuit with respect to the Section 1782 subpoenas served on Steven Donziger (the “*Donziger 1782 case*”).<sup>2</sup>

The procedural background is somewhat complex. In May 2011, Chevron served subpoenas *duces tecum* on Laura Garr and Andrew Woods, as well as on Joseph Kohn and the Kohn, Swift & Graf, P.C. law firm (collectively, “Kohn,”) in the Count Nine Action. Laura Garr worked intermittently for Donziger as a legal intern and later an associate from 2007 through 2010. Andrew Woods was Donziger’s associate at least from 2008. Kohn was co-counsel to Donziger in the early days of the Lago Agrio litigation in Ecuador.

Garr, Woods, and Kohn objected to the subpoenas, asserting that certain documents in their possession were protected from disclosure by the attorney-client privilege and work product doctrine, and submitted privilege logs identifying the documents at issue. Chevron moved to compel

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Count nine of Chevron’s complaint sought a declaration that the Ecuadorian judgment was unenforceable and unrecognizable because it was tainted by fraud in a judicial system (Ecuador’s) which could not afford a fair and impartial proceeding. The Court severed count nine from Chevron’s complaint and bifurcated it into a separate action (the “Count Nine Action”). The Court issued a preliminary injunction barring enforcement of the judgment *pendente lite* in March 2011. *Chevron Corp v. Donziger*, 768 F. Supp. 2d 581 (S.D.N.Y. 2011). The Second Circuit vacated the preliminary injunction and remanded with instructions to dismiss count nine in its entirety. *Chevron Corp v. Naranjo*, 667 F.3d 232, 240 (2d Cir. 2012), *cert denied* 133 S. Ct. 423, 184 L.Ed. 2d 288 (U.S. 2012).

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The Section 1782 rulings of particular significance are: *In re Chevron Corp.*, 749 F. Supp. 2d 135 (S.D.N.Y.) (“*Donziger §1782 P*”), *fuller opinion*, *In re Chevron Corp.*, 749 F. Supp. 2d 141 (S.D.N.Y.) (“*Donziger §1782 IP*”), *on reconsideration*, 749 F. Supp. 2d 170 (S.D.N.Y.) (“*Donziger § 1782 IIP*”), *aff’d sub nom.*, *Lago Agrio Plaintiffs v. Chevron Corp.*, 409 Fed. Appx. 393 (2d Cir. 2010).

The overall background of the case is set out in the Court's ruling on plaintiff's motion for partial summary judgment, *Chevron Corp. v. Donziger*, 886 F. Supp. 2d 235 (S.D.N.Y. 2012), as well as a recent ruling on another third party discovery dispute, *Chevron Corp. v. Donziger*, 11 CIV. 0691 LAK, 2013 WL 1087236 (S.D.N.Y. Mar. 15, 2013).

the production those documents.<sup>3</sup> On August 3, 2011, following full briefing, argument, and a short evidentiary hearing, Magistrate Judge James C. Francis IV overruled in major part the attorney-client privilege and work product objections and ordered production of the documents.<sup>4</sup> Garr, Woods, and the LAP Representatives filed objections to the order, and Chevron objected to it in part. Kohn did not object to it, but responded to Chevron's objections.

Before the Court ruled on the objections to Magistrate Judge Francis' order, the Second Circuit vacated the preliminary injunction in the Count Nine Action and remanded with instructions to dismiss that action in its entirety.<sup>5</sup> The Court did so promptly.<sup>6</sup>

Chevron subsequently moved in this action to carry over from the Count Nine Action its motions to compel that had been directed to Kohn, Garr, and Woods.<sup>7</sup> The Court denied the motion on June 25, 2012, but ordered that "[t]he subpoenas previously served on Mr. Kohn, his firm and Ms. Garr in the [Count Nine Action] are deemed to have been served [on that day] in this action except to the extent that any of these witnesses demonstrates . . . that the witness or witnesses no longer is within the geographic range of subpoenas issued by this Court."<sup>8</sup> Woods already had so

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*See* 11 Civ. 03718, DI 25 (Motion to Compel Laura J. Garr and Andrew Woods); DI 35 (Motion to Compel Joseph C. Kohn and Kohn, Swift & Graf P.C.).

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*Chevron Corp. v. Salazar*, 275 F.R.D. 437, 455 (S.D.N.Y. 2011).

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*Chevron Corp v. Naranjo*, 667 F.3d 232, 240 (2d Cir. 2012), *cert denied* 133 S. Ct. 423, (2012).

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*See* 11 Civ. 03718, DI 380.

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DI 475.

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DI 495.

demonstrated. Accordingly, Chevron was “deemed to have moved to compel Mr. Kohn, his firm and Ms. Garr to comply with the subpoenas addressed to them.”<sup>9</sup> The Court noted that it was taking “judicial notice of the papers submitted in support of and in opposition to the motion to compel that was made in the prior action.”<sup>10</sup> Finally, the Court permitted supplemental briefing on the motions to compel.

Donziger and the LAP Representatives submitted a joint supplemental opposition to Chevron's motions to compel Garr and Kohn, largely reiterating the arguments that the LAPs had made before the magistrate judge and in their objections to his order.<sup>11</sup> Kohn's supplemental submission stated that he did not object to turning over his documents and would do so at the direction of the Court, but asked that the Court "ratify Magistrate Judge Francis's finding that there was 'no evidence of criminal or fraudulent intent' by [Kohn] of any purported wrongdoing during the Lago Agrio Litigation."<sup>12</sup> Garr incorporated by reference her prior submissions and objections.<sup>13</sup>

The Court writes now to resolve the motions to compel directed to Kohn and Garr. The Court considers the motions *de novo* as to questions both of law and of fact. Inasmuch as substantially identical motions were before Magistrate Judge Francis in the Count Nine Action,

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*Id.*

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*Id.*

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DI 512.

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DI 510, at 1.

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DI 513.

however, the Court refers liberally to his opinion and, except to the extent otherwise indicated, adopts his findings of fact and conclusions of law.

### *Discussion*

Chevron contends primarily that privilege claims asserted on the LAPs' behalf by Kohn and Garr (1) were waived in consequence of Donziger's actions and omissions in the *Donziger 1782* proceedings, and (2) in any event are vitiated by the crime-fraud exception. As will be discussed below, Magistrate Judge Francis agreed with Chevron with respect to its first claim and thus did not reach its second. Garr and the defendants dispute vigorously both of these points. They objected almost wholesale to Magistrate Judge Francis' order and their positions now are before this Court. Kohn did not object to the magistrate judge's order, nor does he challenge Chevron's contentions with respect to the waiver argument.

#### *A. The Waiver Issue*

##### *1. The "Compelled Waiver" Argument*

Chevron served Donziger with a subpoena on August 9, 2010 in the *Donziger 1782* case. The subpoena's return date was August 18. On August 27, 2010, Donziger moved to quash the subpoena on burden and privilege grounds.<sup>14</sup> He failed, however, to submit a privilege log. The Court held that, by failing to submit a log, Donziger had waived all claimed privileges pursuant to Federal Rule of Civil Procedure 26(b)(5) and Local Civil Rule 26.2 of the Southern and Eastern

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*Donziger §1782 I*, at 140.



Districts of New York.<sup>15</sup> The Court noted, however, that it would consider relieving Donziger of the waiver “[p]rovided that Donziger files a complete privilege log on or before October 29, 2010.”<sup>16</sup> On November 15, 2010, Donziger filed a “purported privilege log – which [was] over 2,000 pages long and claim[ed] privilege as to 8,652 documents . . . [yet] list[ed] not even one document that was written by or addressed to any of the Lago Agrio plaintiffs—the clients whose privilege supposedly is being asserted.”<sup>17</sup> In the last analysis, the Court adhered to its prior ruling that any privilege and work product claims on behalf of the LAPs had been waived. That ruling subsequently was affirmed on appeal.

Chevron contends that any privilege or protection as to these documents was waived in the *Donziger Section 1782* case.<sup>18</sup> Defendants argue that the waiver does not prevent Garr and Kohn from asserting privileges here because (1) it was imposed in a different proceeding in different circumstances and (2) it was compelled, not voluntary. Magistrate Judge Francis rejected these arguments. He held that, while “Donziger did not volunteer to disclose privileged documents in response to the Donziger subpoena, . . . he also was not deprived of the opportunity to assert his objections . . . .”<sup>19</sup> And, because this Court previously had found that “Donziger’s behavior in

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*Id.*

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*Id.* at 140 n.17.

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*Donziger § 1782 III*, at 173 (S.D.N.Y. 2010).

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*See* DI 26 (Memorandum of Law in Support of Chevron’s Motion to Compel Garr and Woods), at 7-8; DI 36 (Memorandum of Law in Support of Chevron’s Motion to Compel Kohn), at 5-7.

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*Chevron Corp. v. Salazar*, 275 F.R.D. at 446.

failing to produce a privilege log was intentional,”<sup>20</sup> Donziger’s waiver “carrie[d] over to” the Count Nine Action.<sup>21</sup> “Thus, any document within the scope of the waiver [in the *Donziger 1782* case] is stripped of its privileges for the purpose of th[e Count Nine] action.”<sup>22</sup>

“The waiver doctrine provides that voluntary disclosure of work product to an adversary waives the privilege as to other parties.”<sup>23</sup> The same principle applies to material otherwise protected by the attorney client privilege. On the other hand, courts have held that “a party does not waive the attorney-client privilege for documents which he is compelled to produce.”<sup>24</sup> Defendants attempt to fit the facts of this case into the latter category of disclosure, claiming that Donziger did not voluntarily waive privilege objections when, as they put it, he was “sanction[ed]” by the Court and compelled to produce documents.<sup>25</sup> This argument is not persuasive.

As an initial matter, this is nothing like a usual case in which there is a forced disclosure in Case A followed by a claim in Case B that the forced disclosure in Case A destroyed

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<sup>20</sup>

*Id.* (citing *In re Chevron Corp.*, 749 F. Supp. 2d at 185).

<sup>21</sup>

*Id.* at 447.

<sup>22</sup>

*Id.*

<sup>23</sup>

*In re Steinhardt Partners, L.P.*, 9 F.3d 230, 235 (2d Cir. 1993).

<sup>24</sup>

*Transamerica Computer Co., Inc. v. Int’l Bus. Machines Corp.*, 573 F.2d 646, 651 (9th Cir. 1978).

<sup>25</sup>

11 Civ. 03718, DI 186 (Garr and Woods Objections to Magistrate Judge Francis’ Order), at 1; *see* 11 Civ. 03718. DI 190, at 6-17 (hereinafter “LAPs’ Objections to Magistrate Judge Francis’ Order”); DI 512 (Donziger and LAP Representatives’ Supplemental Opp. to Chevron’s Motion to Compel), at 5.

any privilege. Here, Donziger was and, indeed, remains subject to an existing court order in the *Donziger 1782* case compelling him to produce to Chevron the very documents that are the subject of these motions. Indeed, if Donziger simply complied with the order to which he long has been subject, the controversy regarding these subpoenas would be moot. On these unusual facts, there is no logical reason for declining to recognize that the waiver in the *Donziger 1782* case applies to the documents sought here, whatever might be the case on other facts. Certainly the defendants have not put forward any authority supporting such a perverse result.

Second, even if that were put to one side, defendants would be wrong in their contention that the waiver in the Section 1782 proceeding was not voluntary. They are correct that this is not a typical “sword” and “shield” case in which a party uses some privileged material to its advantage and tries to avoid the disclosure of others on the same subject matter.<sup>26</sup> Nor is it a situation in which an advice of counsel defense is put at issue.<sup>27</sup> It is true also that Donziger did not simply hand over privileged documents without objection. To the contrary, he sought to block or at least delay their production in violation of this Court’s rules. But none of that is helpful on the unique facts of this case to those resisting discovery here.

One element of Donziger’s effort to delay or prevent disclosure in the *Donziger 1782* case was his failure to supply a privilege log or request an extension of time within which to file one, a failure which, absent the waiver ruling, would have delayed the discovery immeasurably and to

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*See In re Grand Jury Proceedings*, 219 F.3d 175, 182 (2d Cir. 2000) (“a party cannot partially disclose privileged communications or affirmatively rely on privileged communications to support its claim or defense and then shield the underlying communication from scrutiny by the opposing party”).

<sup>27</sup>

*See id.* at 182-83 (a defendant who asserts an “advice-of-counsel” defense is determined to have waived privilege regarding that legal advice).

Donziger's advantage. That was a voluntary and deliberate choice, and it was made for an improper reason. As this Court previously wrote:

"This Court finds that the failure to submit a privilege log, at least from September 1, 2010, when the Individual Petitioners made an issue of it in their papers in opposition to the motions to quash and possibly earlier, was a deliberate attempt to structure the response to the subpoenas in a way that would create the maximum possibility for delay. The circumstances warrant the conclusion that the goal was to force the Individual Petitioners to proceed to trial in the Ecuadorian criminal case and to obtain a judgment against Chevron before any of them could get any or, at least, the most important documents responsive to the subpoenas."<sup>28</sup>

As there was abundant (if not unanimous) case law holding that the failure to supply a privilege log *when required* would or could waive any claims of privilege,<sup>29</sup> Donziger's intentional failure to do so, especially for the purpose of gaining a tactical advantage, constituted a *voluntary* waiver. He and his clients must be deemed responsible for the natural and predictable consequences of his intentional failure to act.

Third, the attempt to avoid the consequences of the rulings in the *Donziger 1782* case by characterizing them as having imposed a "discovery sanction" is misguided.<sup>30</sup> Nothing in the Federal Rules and nothing cited by the defendants stands for the proposition that a court may require production of otherwise privileged documents as a sanction, whether for failure to file a timely or

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*Donziger* § 1782 III, 749 F. Supp. 2d at 185.

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*Id.* at 181-82.

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The LAP Representatives argue that Magistrate Judge Francis erred in finding implied waiver. LAPs' Objections to Magistrate Judge Francis' Order, at 10-11. But that argument is incorrect. This Court previously held in the *Donziger 1782* case that the LAPs' claimed privileges had been waived, and the Court of Appeals affirmed that ruling. *Lago Agrio Plaintiffs v. Chevron Corp.*, 409 Fed. Appx. 393 (2d Cir. 2010); *Donziger* § 1782 III, 749 F. Supp. 2d at 183-184; *Donziger* § 1782 I, 749 F. Supp. 2d at 140. Thus, that issue is foreclosed.



sufficient privilege log or anything else. Rather, the waiver that often follows such a failure rests on another principle entirely – a principle that independently is fatal to this objection.

The attorney-client privilege and similar doctrines exist to protect confidential communications that occur as part of the attorney-client and other protected relationships. They exist only as long as confidentiality is maintained. Hence, disclosure of otherwise privileged material to strangers ordinarily waives the privilege.<sup>31</sup> Even in cases of entirely inadvertent disclosure – such as those in which a privileged document mistakenly slips into a large production of unprivileged discovery under enormous pressures of time constraints and volume – and even in courts that do not view such disclosures as waivers without regard to other considerations, the extent to which the holder and its agents have taken appropriate measures to ensure the confidentiality of the privileged material is an important factor in determining whether the privilege was waived by the disclosure.<sup>32</sup> Where, as here, the holders' agent fails to comply with explicit court rules

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*United States v. Jacobs*, 117 F.3d 82, 91 (2d Cir. 1997); *In re Kidder Peabody Sec. Litig.*, 168 F.R.D. 459, 468 (S.D.N.Y. 1996).

A different standard applies to materials protected by the work-product doctrine. “Not every disclosure of work product waives the doctrine.” 6 MOORE’S FEDERAL PRACTICE § 26.70[6][a], at 26-462. *See also Shields v. Sturm, Ruger & Co.*, 864 F.2d 379, 382 (5th Cir. 1989) (“the mere voluntary disclosure to a third person is insufficient in itself to waive the work product privilege”). When work product is voluntarily disclosed to an *adversary*, that waives the privilege as to other parties. *In re Steinhardt Partners, L.P.*, 9 F.3d 230, 235 (2d Cir. 1993). Although defendants do not treat carefully the distinction between attorney-client privilege and work-product waiver in their analysis, the Court’s finding that Donziger’s waiver in the Section 1782 action was voluntary makes the effect of the waiver essentially the same.

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*See In re Grand Jury Proceedings*, 219 F.3d at 188; *Rattner v. Netburn*, No. 88 Civ. 2080 (GLG), 1989 WL 223059, at \*9 (S.D.N.Y. Jun. 20, 1989) (collecting cases) (“inadvertent disclosure of a document will ordinarily not be deemed a waiver unless the party was so careless in its document procedures as to suggest that it was indifferent to whether privileged documents were disclosed”). *See also, e.g., SEC v. Cassano*, 189 F.R.D. 83, 85 (S.D.N.Y. 1999) (collecting cases) (SEC’s inadvertent production of privileged document waived

prescribing the time and manner for assertion of a claim of privilege *for the purpose of delay and to gain a tactical advantage*, the holders and their agents have not taken appropriate measures to preserve the confidential nature of the materials in question.

The fact that this Court ordered production of the documents in the *Donziger 1782* case as a result of such tactics cannot now be used to shield the documents from production in this action.<sup>33</sup> Those orders were the products of a failure by the LAPs and their attorney to take the steps required to maintain the confidentiality necessary to the continuation of any otherwise applicable privilege. That failure was all the more egregious by its deliberate nature and wrongful purpose. Thus, regardless of whether the waiver in the *Donziger 1782* case may be characterized as a sanction or as involuntary in some sense, the waiver on these facts should have no less effect than a purely

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privilege in view of its carelessness).

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Defendants cite a plethora of cases for the proposition that production pursuant to court order is not a voluntary disclosure of privileged documents. But these cases are here. Many of them involved scenarios in which a party properly objected to and attempted to comply with court orders and applicable rules before being compelled to produce the documents in question. For example, in *Shields v. Sturm, Ruger & Co.*, 864 F.2d at 382, the Fifth Circuit upheld a trial court's order declining to find that privilege had been waived by a prior production where the producing party took "reasonable steps to protect privilege . . . [and] asserted the privileged character of their work product at every opportunity." And in *Studiengesellschaft Kohle mbH v. Novamont Corp.*, No. 77 Civ. 4722 (RWS), 1980 U.S. Dist. LEXIS 15042, at \*9-10 (S.D.N.Y. Nov. 17, 1980), the court found that the documents at issue "were produced in a good faith effort to comply with prior rulings of the Magistrate regarding the boundaries of the attorney-client privilege" and distinguished that "good faith compliance" from voluntary disclosure. *Id.* at \*9. And in *In re Parmalat Sec. Litig.*, No. 04 MD 1653 (LAK)(HBP), 2006 WL 3592934, at \*4 (S.D.N.Y. Dec. 1 2006), the court found that the defendant had not waived privilege where its documents were seized and defendant had "little, if any, opportunity to challenge the seizure."

The facts here, however, are quite different. Donziger did not take "reasonable steps to protect privilege," nor did he make any "good faith effort" to comply with the subpoena or the Court's order. And he certainly had every opportunity properly to challenge the subpoena. But he did not. In those circumstances, this Court's order in the *Donziger 1782* case was a direct and foreseeable result of Donziger's quite voluntary and bad faith efforts to delay or avoid production.

voluntary disclosure.

Finally, this is not an opportunity to relitigate the merits of this Court's waiver finding in the *Donziger 1782* case that was upheld on appeal. In comparing Donziger's position in the Section 1782 action to the one facing IBM in *Transamerica Computer Company v. International Business Machines Corp.*, the LAPs and Garr argue that Donziger effectively was compelled to disclose privileged documents because compliance with the Donziger Subpoenas would have been burdensome. But the situation facing IBM was quite different. While producing documents on an accelerated timetable in a prior proceeding, IBM *inadvertently* produced privileged documents, after taking appropriate precautions to avoid doing so and was found not to have waived privilege with respect to those documents.<sup>34</sup> This case does not involve documents that were produced. Rather, Donziger tried to avoid or delay the production of any documents through his failure to file a privilege log as required.<sup>35</sup> Moreover, at least one other court has found that *Transamerica* is inapplicable in cases in which privilege has been waived as a result of failure to file a timely privilege log.<sup>36</sup>

## 2. *The Scope of the Waiver*

There remains the question of the scope of the waiver, which is not a difficult one on the facts of this case. The Donziger Section 1782 Subpoenas – like all subpoenas, Civil Rule 34,

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<sup>34</sup>

*Id.* at 648-50.

<sup>35</sup>

Moreover, as the Court previously has noted, Donziger could have requested an extension of the deadline to file a privilege log to the extent that it was necessary.

<sup>36</sup>

*See Mansourian v. Bd. of Regents of Univ. of Cal. at Davis*, No. CIV S-03-2591 FCD EFB, 2007 WL 4170819, at \*2 (E.D. Cal. Nov. 19, 2007).



and Criminal Rule 16 document requests – required that he produce all documents in his “possession, custody or control.”<sup>37</sup> If privilege or other protection was claimed as to any such document – regardless of whether the document was within Donziger’s physical possession, his personal custody, or his practical control – he was obliged to assert that claim in a timely and sufficient privilege log. That certainly was not done, even belatedly, with respect to the Garr and Kohn documents.<sup>38</sup> Any privilege claim therefore was waived as to all such documents.<sup>39</sup> The only question thus is whether the Garr and Kohn documents were within Donziger’s possession, custody, or control at the time the privilege log should have been filed.

Magistrate Judge Francis held that all of the documents listed on Garr’s and Kohn’s

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*United States v. Stein*, 488 F. Supp. 2d 350, 360-64 (S.D.N.Y. 2007) (collecting authorities); FED. R. CIV. P. 34, 45(a)(1)(A)(iii); FED. R. CRIM. P. 16(A)(1)(E).

<sup>38</sup>

Rather, Donziger sought to quash the subpoenas without regard to his obligation to make specific objections regarding privileged material. The intent was to string the matter out by litigating the motion to quash and, if that proved unsuccessful, to string it out further by filing a belated privilege log and then attempting to litigate privilege on a document-by-document basis. Indeed, when the Court gave Donziger the opportunity to make a belated submission of a privilege log in the *Donziger 1782* case, he did not submit one in advance of the Court’s deadline (or request an extension). “[T]he goal” of all these actions, as previously noted, “was to force the Individual Petitioners to proceed to trial in the Ecuadorian criminal case and to obtain a judgment against Chevron before any of them could get any or, at least, the most important documents responsive to the subpoenas.” *Donziger §1782 III*, 749 F. Supp. 2d at 185.

<sup>39</sup>

Chevron contends also that (1) Kohn waived any privilege claims with respect to documents that were disclosed to Cabrera and the *Crude* filmmakers, and (2) that many of the documents listed on Garr and Kohn’s privilege logs were not actually privileged because “much of Garr and Kohn’s work is not *legal* at all.” DI 531, at 6. Defendants claim that Chevron is collaterally estopped to argue that Kohn’s disclosure of documents to the *Crude* filmmakers waived privilege because it made the same argument in a Section 1782 proceeding against Kohn in the Eastern District of Pennsylvania, and lost on that ground in the Third Circuit. DI 512 (citing *In re Application of Chevron Corp.*, 650 F.3d 276 (3d Cir. 2011)). Having found that Donziger’s waiver of privilege applies to *all* documents on Kohn’s and Garr’s privilege logs, the Court need not address these arguments.



privilege logs were within Donziger's control and thus subject to his waiver. The LAP Representatives objected to Magistrate Judge Francis' holding on the ground that it "broadened the scope of that purported waiver so as to reach Donziger's former co-counsel . . . and a former intern, [neither] of whom had any part in any activities that this Court would deem an implied waiver."<sup>40</sup>

This contention is not meritorious.

As noted previously, neither Garr nor Kohn objected to the finding that the documents were within Donziger's control at the time Donziger was obliged to file any privilege log. The LAP Representatives, however, objected to the finding with respect to Garr and Kohn.<sup>41</sup>

The claim that responsive documents in Garr's possession were not within Donziger's control is especially baseless. She was an intern and later an attorney who at all relevant times worked under Donziger's supervision,<sup>42</sup> at some times was employed by him,<sup>43</sup> assisted him in responding to the Donziger Section 1782 Subpoenas, in that connection provided to him some documents that she possessed, and readily would have provided additional documents to him, at least as long as she were advised that doing so would be lawful.<sup>44</sup> This Court finds that Donziger controlled the documents in Garr's possession and therefore waived privilege as to all of them. Indeed, at least one other court has found that Donziger's waiver applies to another of Donziger's

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LAPs' Objections to Magistrate Judge Francis' Order, at 11-12.

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*Id.* at 14-16.

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11 Civ. 03718, DI 58, ¶¶ 2-5.

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*Id.*

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11 Civ. 03718, Tr., July 19, 2011, at 57.

former associates, Aaron Marr Page, who now is Donziger's co-counsel. Judge Day in the District of Maryland recently held that Page's documents were within Donziger's control and "should have been produced long ago, when the production was ordered through Donziger."<sup>45</sup>

Donziger's relationship with Kohn was and is somewhat different. Kohn was not an employee of Donziger, but served as his co-counsel. Nonetheless, "[i]f the producing party has the legal right or the practical ability to obtain the documents, then it is deemed to have 'control,' even if the documents are actually in the possession of a non-party."<sup>46</sup> As Magistrate Judge Francis concluded, it is undisputed that (1) Kohn and Donziger "worked together for many years on litigation involving the LAPs," (2) Kohn funded Donziger's work on the case in Ecuador, (3) Donziger was Kohn's primary source of information regarding the Ecuadorian litigation, (4) Donziger and Kohn co-signed at least one agreement together, and (5) the two regularly exchanged electronic communications.<sup>47</sup> This Court finds, as did Magistrate Judge Francis, that Donziger had the practical ability to obtain documents from Kohn.

Although they did not make the argument before the magistrate judge, the LAP Representatives contended in their objections to his order that Donziger did not have practical control over Kohn's documents because Donziger and Kohn had "parted ways" by the time the subpoena was issued and there was no evidence of "any collaboration among them in August 2010

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*Chevron Corp. v. Page*, No. RWT-11-0385, Jan. 25, 2013 Tr., at 56:2-10.

<sup>46</sup>

*In re Flag Telecom Holdings, Ltd. Sec. Litig.*, 236 F.R.D. 177, 180 (S.D.N.Y. 2006) (quoting *Riddell Sports Inc. v. Brooks*, 158 F.R.D. 555, 558 (S.D.N.Y. 1994); see also *Shcherbakovskiy v. Da Capo Al Fine, Ltd.*, 490 F.3d 130, 138 (2d Cir. 2007) ("if a party has access and the practical ability to possess documents not available to the party seeking them, production may be required.")).

<sup>47</sup>

*Chevron Corp. v. Salazar*, 275 F.R.D. at 450-51.

such that Donziger would have had the ‘practical ability to obtain documents from the Kohn Respondents.’<sup>48</sup> This argument, however, is belied by the fact that Kohn did not object to Magistrate Judge Francis’ finding or the production of documents, and, indeed, “has offered to turn over its records to Chevron or to an appropriate court on multiple occasions.”<sup>49</sup> The suggestion that Donziger did not have the practical ability to obtain documents from Kohn – who has been willing from the start to turn them over at the direction of the Court – is disingenuous and easily rejected.

*B. The Crime-Fraud Exception*

Finally, Chevron argues that, even if the privilege waiver does not apply to Garr’s and Kohn’s documents, any privilege they assert is vitiated by the crime-fraud exception. This is, it argues, because “[b]oth Kohn and Garr were actively involved in Defendants’ scheme to defraud and extort Chevron, and are implicated in that fraud. Kohn was the primary financier of the project when key aspects of the fraud, including the ghostwriting of the Cabrera Report and commencement of the ghostwriting of the judgment itself, were carried out, and Garr participated in preparing secret, LAP materials that appear in the judgment itself.”<sup>50</sup> Furthermore, “Kohn was at the heart of the efforts to induce Ecuadorian officials into maliciously bringing trumped-up criminal charges against two of Chevron’s lawyers.”<sup>51</sup> Thus, Chevron argues that the crime-fraud exception applies to any

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11 Civ. 03718, DI 190, at 14.

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DI 510, at 1.

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DI 531, at 1-2.

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11 Civ. 03718, DI 36, at 19.

materials held by Garr and Kohn relating to these subjects.

The LAP Representatives contend that Chevron has not met its burden of establishing that there is probable cause to suspect that a crime or fraud has occurred, or that any documents in Kohn's or Garr's possession were in furtherance of a fraud.<sup>52</sup> Kohn contests Chevron's arguments only insofar as they relate to any culpable knowledge on his part of the alleged fraud and asks the Court to ratify what he characterizes as Magistrate Judge Francis' "*factual* conclusion . . . that [Kohn] had no knowledge of, or complicity in, any purported wrongdoing."<sup>53</sup> Because Magistrate Judge Francis found that privilege had been waived as to Kohn's documents, he did not have occasion to determine whether the crime-fraud exception vitiated any privilege as to Garr and Kohn. He noted, however, that "Chevron [had] not produce[d] persuasive evidence" that they had knowledge of any fraud, "but it was not obliged to."<sup>54</sup>

In order successfully to invoke the crime-fraud exception, a party seeking disclosure must demonstrate that there is "probable cause to believe that a fraud or crime has been committed and that the communications in question were in furtherance of the fraud."<sup>55</sup> Probable cause exists where "a prudent person ha[s] a reasonable basis to suspect the perpetration or attempted

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<sup>52</sup>

11 Civ. 03718 DI 92, at 20-23

<sup>53</sup>

DI 539, at 1.

<sup>54</sup>

He did, however, hold that the crime-fraud exception applied to Woods' documents created after the date of the Donziger subpoena – to which the privilege waiver did not apply – with respect to certain categories of documents.

<sup>55</sup>

*United States v. Jacobs*, 117 F.3d 82, 87 (2d Cir. 1997).



perpetration of a crime or fraud, and that the communications were in furtherance thereof.”<sup>56</sup> Thus, in order to obtain disclosure of otherwise privileged or protected evidence by means of the crime-fraud exception, the party seeking disclosure must show a factual basis to support a conclusion that there is probable cause to believe that (1) a crime or fraud was or is being committed, and (2) the communication in question was or is in furtherance of the crime or fraud.<sup>57</sup> Importantly, communications in furtherance of contemplated or ongoing criminal or fraudulent conduct “are properly excluded from the scope of the privilege even if the attorney is unaware that his advice is sought in furtherance of such an improper purpose.”<sup>58</sup>

The Court recently determined that there is probable cause to believe that the LAPs, Donziger, and/or their attorneys and agents committed a crime or fraud with respect to, *inter alia*: the termination of the judicial inspection process; “the selection and appointment of Cabrera, the preparation and submission of his report to the Lago Agrio court, and its presentation as his independent work;” and the procurement of the judgment in Ecuador.<sup>59</sup> Chevron therefore has satisfied the first prong of the crime-fraud exception with respect to responsive documents on Kohn and Garr’s privilege logs relating to those events. The Court need not determine at this juncture

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*In re Grand Jury Subpoena Duces Tecum Dated Sept. 15, 1983*, 731 F.2d at 1039 (2d Cir. 1984).

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*United States v. Jacobs*, 117 F.3d at 87. Once the party has satisfied the first of these requirements, “the decision whether to engage in an *in camera* review of the evidence lies in the discretion of the district court. . . . [I]f and when there has been an *in camera* review, the district court exercises its discretion again to determine whether the facts are such that the exception applies.” *Id.*

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*Id.*

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*Chevron Corp. v. Donziger*, 11 CIV. 0691 LAK, 2013 WL 1087236, at \*2 (S.D.N.Y. Mar. 15, 2013).

whether such documents were in furtherance of a fraud, as that question would be material only if any otherwise applicable privilege had not been waived. Nor must it decide whether Kohn had any knowledge of the fraud because, as noted above, documents in furtherance of fraudulent conduct fall within the crime-fraud exception regardless of whether the attorney was aware of it.

*C. The Request for a Protective Order*

Although they did not so request before Magistrate Judge Francis, the LAP Representatives requested in their objections to his order that the Court issue a protective order under Civil Rule 26(c)(1) limiting the use of any documents produced pursuant to the Order to these proceedings and requiring that the documents be filed under seal.<sup>60</sup> This request is unpersuasive.

The documents at issue here were first subpoenaed from Donziger in August 2010. They should have been produced in the *Donziger 1782* case nearly three years ago. Had he complied with that legal obligation, there would have been no issue with respect to a protective order. Indeed, neither Donziger nor the LAPs sought such a protective order in that case, either in this Court or in the Court of Appeals. There is no reason to grant one in the context of this case. To do so, moreover, would be a bootless exercise in view of Donziger's continuing obligation to produce the very same documents in the *Donziger 1782* case in which no protective order has been sought or granted.

*D. Other Requests*

Finally, defendants request that, "[s]hould the Court grant Chevron's motions to

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LAPs' Objections to Magistrate Judge Francis' Order. at 28-29.

compel . . . the Court stay its decision to permit them to seek expedited relief in the Second Circuit Court of Appeals.”<sup>61</sup> Defendants ask also that the Court to certify its order for appeal pursuant to 28 U.S.C. § 1292(b).<sup>62</sup>

Defendants have failed to show any basis for certification under Section 1292(b).

Courts consider four factors in determining whether to grant a motion to stay: “(1) whether the movant will suffer irreparable injury absent a stay; (2) whether the opposing party will suffer substantial injury if a stay is granted; (3) whether the movant has shown a substantial possibility, although less than a likelihood, of success on appeal; and (4) the public interests that may be affected.”<sup>63</sup> Defendants have failed adequately to address any of these factors. As an initial matter, they have ignored entirely the question whether appellate jurisdiction would exist with respect to any appeal from this order – an essential element in determining whether they are likely to succeed on appeal.<sup>64</sup> Nor have they attempted to explain how they would be irreparably harmed absent a stay, or how any claimed harm to them would outweigh the prejudice to Chevron of further delaying the production of Kohn’s and Garr’s documents – to which they were entitled nearly three years ago – at this late stage in discovery.

Nonetheless, the Court will permit Donziger and the LAP Representatives to submit

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DI 512, at 2.

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*Id.* at 2 n.8.

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*Cooper v. Town of E. Hampton*, 83 F.3d 31, 36 (2d Cir. 1996).

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Defendants’ failure to address appellate jurisdiction is material. The Court of Appeals only this week dismissed for lack of appellate jurisdiction three appeals brought by defendants and their allies. *See Chevron Corp. v. Donziger*, Nos. 12-5005, 12-5031, 13-332 (2d Cir. Apr. 10, 2013).

a brief addressing the appealability of this order provided it is filed on or before April 22, 2013. If such a brief is submitted, Chevron may respond on or before May 6, 2013.

*Conclusion*

Chevron's motions to compel Garr and Kohn are granted. The request for Section 1292(b) certification is denied. Decision is reserved on the request for a stay pending appeal. The documents shall be produced no later than May 11, 2013 absent a stay by this Court.

SO ORDERED.

Dated: April 12, 2013

A handwritten signature in black ink, appearing to read "Lewis A. Kaplan", written over a horizontal line.

Lewis A. Kaplan  
United States District Judge



## **ADDENDUM B**

## **ADDENDUM B**

In 2010, this Court affirmed the district court's decision that, because Donziger did not submit a privilege log contemporaneously with a motion to quash in its entirety the subpoena served on him, he had waived his client's attorney-client privilege with respect to thousands of documents in the Lago Agrio litigation file. *See Lago Agrio Plaintiffs v. Chevron Corp.*, 409 F. App'x 393, 396 (2d Cir. 2010). This Court observed that this "severe" sanction was justified only because "the urgency of petitioners' need for the discovery in light of impending criminal proceedings in Ecuador." *Id.* That prosecution ended in June 2011, and one of its targets is deceased. Yet, on April 12, 2013, in an entirely different case, the same District Court judge extended that "severe" waiver sanction to include the Lago Agrio litigation files possessed by attorney Joseph Kohn, his law firm, Kohn Swift & Graff, P.C, and Donziger's former associate, Laura Garr. The District Court identified no exigency to justify this extreme action, and there is none. The issue presented on this appeal is whether the District Court abused its discretion.